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10 Attorneys for Defendant
 WIRELESS NETWORKS, INC.

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 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO

15 CHARLES M. BROWN,
 16 Plaintiff,
 17 v.
 18 WIRELESS NETWORKS, INC., a Delaware
 corporation,
 19 Defendant.
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 21 WIRELESS NETWORKS, INC., a Delaware
 corporation,
 22 Counter-claimant,
 23 v.
 24 CHARLES M. BROWN,
 25 Counter-defendant.
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Case No. C-07-04301 EDL
**[PROPOSED] ORDER RE
 PROTOCOL FOR IMAGING AND
 SEARCHING PLAINTIFF'S HARD
 DRIVE ORDER**
 Dept: Courtroom E, 15th Floor
 Judge: Mag. Elizabeth D. Laporte
 Trial Date: March 9, 2009

1 Pursuant to the Court's Order Granting In Part Defendant's Renewed Motion To Compel,
2 entered December 18, 2008, the Court further orders that the following protocol be used for
3 imaging and searching the hard drive of Plaintiff Charles Brown's ("Brown") Macintosh
4 computer ("hard drive"):

5 1. Jon Berryhill of Berryhill Computer Forensics, Inc., operating as a neutral
6 computer forensic analyst with respect to this project, will perform the imaging and searching of
7 Brown's hard drive.

8 2. The parties will pick a mutually convenient date prior to January 9, 2009 on which
9 Mr. Berryhill, Brown, counsel for Brown, and counsel for Wireless Networks, Inc. ("WNI") will
10 meet at Brown's residence.

11 3. On that date, Mr. Berryhill will take an image of Brown's entire hard drive. Mr.
12 Berryhill will take the hard drive to its offices, where it will undertake the tasks outlined in the
13 following paragraphs.

14 4. Mr. Berryhill will search Brown's hard drive for both existing and deleted emails
15 either to or from the following email addresses: <brown@wireless-networks.com> and
16 <cbrown@multimodalnetworks.com> and containing one or more of the following terms in any
17 part of the email (including in the "to" "from" or "subject" lines):

- 18 • Multimodal or Multimodalnetworks or Multimode or MMN or MM
- 19 • all@multimodalnetworks.com; cedric@multimodalnetworks.com;
- 20 • joao@multimodalnetworks.com; frank@multimodalnetworks.com;
- 21 • dan@multimodalnetworks.com; dcochran@multimodalnetworks.com;
- 22 • bob@multimodalnetworks.com; mhu@multimodalnetworks.com
- 23 • "new company" or "new business" or "new team" or startup or "team member"
- 24 • "NewCo" or "newco"
- 25 • Hagan or Hagan Law Firm
- 26 • Source Code
- 27 • Special Counsel
- 28 • "Charles Brown & Associates"
- "nondisclosure agreement" or "non-disclosure agreement" or NDA
- Retail Buddy
- First Data or FD
- Unitrol
- "brand name"
- Ruy Rothschild de Souza or Ruy or "de Souza"
- Secret or stealth or confidential
- Venture capital
- Shareholders
- Reports

1 5. After completing the searches outlined above, Mr. Berryhill will provide Brown
2 with the results of its searches. Brown will then tag privileged information for Mr. Berryhill
3 within one week of Mr. Berryhill providing Brown the result of its searches.

4 6. Mr. Berryhill will provide to WNI the following: (1) all emails generated from the
5 search except for those Brown has tagged as privileged; and (2) information regarding which of
6 those emails were deleted and, where possible, when they were deleted.

7 7. Brown will provide to WNI the following: a privilege log of those emails tagged
8 as privileged. Such privilege log will include: 1) a description of the email withheld; 2) the date
9 of such email; 3) the direct and carbon copy recipient(s) and sender of such email; and 4) the
10 basis for the asserted privilege. WNI does not waive the right to object to the assertion of
11 privilege as to any email withheld by Brown.

12 **IT IS SO ORDERED.**

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14 Date: December 23, 2008
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