

ATTACHMENT A

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re SONY PS3 "OTHER OS"
LITIGATION

CASE NO. 3:10-CV-01811 RS (EMC)

[PROPOSED] ORDER

Judge: Hon. Edward M. Chen
Courtroom: C

1 The Court has reviewed letter briefs submitted by the parties regarding pending discovery
2 matters. Having considered these briefs, the Court orders as follows:

3 **PS3 Imaging**

4 1. Within fifteen days of this order, Messrs. Ventura and Baker shall present their
5 PlayStation®3 (“PS3”) game consoles at SCEA’s counsel’s San Francisco office for imaging; Mr.
6 Stovell shall present his PS3 at SCEA’s counsel’s downtown San Diego office for imaging; and
7 Mr. Huber shall present his PS3 for imaging in a location of SCEA’s choosing in Knoxville,
8 Tennessee.

9 2. TERIS shall forensically image these PS3s’ internal hard drives (the “Original
10 Hard Drive”) onto a similar drive (the “Copy Hard Drive”), and will boot the Copy Hard Drive
11 from within the PS3 to confirm imaging. TERIS will also perform a PS3 system back-up of each
12 Original Hard Drive onto a mass storage device or memory card. At Plaintiffs’ election, TERIS
13 shall also create for them a second copy of the Original Hard Drives.

14 3. SCEA will pay the expense related to initial imaging and system back-up and
15 TERIS’s travel to complete this work. Plaintiffs will pay the expense related to the imaging
16 necessary for their copies of the Original Hard Drives, including the costs of the hard drive itself.

17 4. Immediately after imaging Mr. Stovell’s PS3, Mr. Stovell shall provide TERIS
18 with the file names of those photographs he wishes TERIS to extract from the Copy Hard Drive
19 and system back-up of his PS3. TERIS shall extract those files, place the files on a memory card,
20 and confirm that the images generally appear to be family photographs as Mr. Stovell represents.
21 TERIS shall thereafter provide a copy of the log to the parties’ counsel, provide the memory card
22 containing the extracted files to Plaintiffs’ counsel to retain, and return the Copy Hard Drive and
23 system back-up to SCEA’s counsel. The parties shall meet and confer regarding any disputes
24 related to the extracted files.

25 **Plaintiffs Depositions**

26 5. Messrs. Ventura, Huber, and Baker shall appear for deposition at SCEA’s
27 counsel’s office in San Francisco on dates mutually convenient to the parties within twenty-five
28 days after their PS3s are imaged.

1 6. Mr. Stovell shall appear for deposition at SCEA's counsel's office in downtown
2 San Diego on dates mutually convenient to the parties within twenty-five days after TERIS
3 provides the Copy Hard Drive and system back-up of his PS3 to SCEA.

4 7. Plaintiffs will produce their PS3s at the depositions for inspection and use,
5 including asking Plaintiffs to demonstrate during their depositions how they used their PS3.

6 **Meet and Confer Obligations**

7 8. Plaintiffs shall complete their meet and confer obligations with regard to the
8 keywords they propose SCEA use in searching for emails to review and produce, the additional
9 custodian-sources Plaintiffs propose, the scope and form of discovery Plaintiffs propose related to
10 Sony Computer Entertainment Inc., and their proposal with regard to the form of SCEA's
11 production.

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13 IT IS SO ORDERED.

14 DATED: _____, 2011

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16 _____
THE HONORABLE EDWARD M. CHEN
United States Magistrate Judge

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