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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

AMEC ENVIRONMENT & INFRASTRUCTURE, INC.,

Plaintiff,

v.

INTEGRAL CONSULTING, INC., EDWARD P. CONTI, an individual, MATTHEW HILLYARD, an individual,

Defendants.

Case No. CV 12-01735 SC (NC)

AMENDED

~~[PROPOSED]~~ ORDER REGARDING INITIAL STEPS TO RESOLVE DISCOVERY DISPUTE

Re: Dkt. Nos. 55, 58-59

This order provides the initial actions to be performed by Defendant Integral Consulting, Inc. ("Integral") following hearing on November 6, 2013. On October 18, 2013, October 25, 2013 and October 30, 2013, the parties filed letter briefs concerning AMEC's turnover demands for documents obtained by the individual defendants during employment with AMEC and retained thereafter and related discovery. Dkt. Nos. 55, 58-59. In order to educate AMEC and the Court concerning those documents contained on devices identified by Integral as responsive to AMEC's subject discovery, the Court ORDERS as follows:

- Within two (2) days of the issuance of this order, Defendants will make available for inspection by FTI Consulting ("the Consultant") each of the electronic media storage

devices identified in Defendant's Supplemental Response to Interrogatory No. 9 ("Devices.")

- With the exception of those two (2) Devices for which Integral represents that all documents contained thereon have previously been produced to the Plaintiff, the Consultant shall examine each Device and will, within ~~five (5)~~ fourteen (14) business days of receipt of the Devices from Defendants, provide the parties with an identical report identifying each Device, the actions that the Consultant took with respect to each Device, and an index of all files contained on each Device (the "File Index.")
- The File Index will include entries for all files contained on each Device, including any deleted or overwritten files identifiable from an examination of the Device's Master File Table or other Master Index, where one exists. Compressed or container files, including but not limited to, ".PST" and ".ZIP" files will be extracted into their component member files (such as ".msg" files) and a record for each component file entered in the File Index.
- The File Index will be compiled in MS Excel format with distinct columns for each of the following metadata fields (as appropriate for each record in the File Index):
  - Device make, model, serial number and size
  - Custodian
  - Title
  - File name
  - File path
  - PST folder
  - File extension
  - File size
  - From or Sender (including domain)
  - To (including domain)
  - CC
  - BCC
  - Subject

- Attachment Count
- Date Sent
- Date Received
- Date Created
- Date Last Accessed
- Date Modified
- Date Last Printed
- Author

- With respect to those two (2) Devices from which Integral has represented that all documents have previously been produced to Plaintiff, Integral will within five (5) days of the issuance of this order, provide Plaintiff with an index of the production Bates numbers of those documents previously produced, identifying the Device from which said documents were produced.
- Defendants are responsible for any and all fees, costs and expenses associated with the Consultant's examination of the Devices and production of the report to the parties.

IT IS SO ORDERED.

DATED: November 12, 2013

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED AS MODIFIED
Judge Nathanael M. Cousins

H[illegible], COUSINS
UN[illegible]TE JUDGE