

1 Robert A. Mittelstaedt (State Bar No. 60359)  
 ramittelstaedt@jonesday.com  
 2 JONES DAY  
 555 California Street, 26th Floor  
 3 San Francisco, CA 94104  
 Telephone: (415) 626-3939  
 4 Facsimile: (415) 875-5700

5 Darren K. Cottriel (State Bar No. 184731)  
 dcottriel@jonesday.com  
 6 JONES DAY  
 3161 Michelson Drive, Suite 800  
 7 Irvine, CA 92612  
 Telephone: (949) 553-7548  
 8 Facsimile: (949) 553-7539

9 Attorneys for Defendants  
 THE GILLETTE COMPANY AND THE  
 10 PROCTER & GAMBLE COMPANY

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13  
 14 JAMES COLLINS, Individually and on Behalf  
 15 of All others Similarly Situated

16 Plaintiff,

17 v.

18 THE GILLETTE COMPANY and THE  
 19 PROCTER & GAMBLE COMPANY,

20 Defendants.

**Case No. CV-12-1778-EDL**

**JOINT STIPULATION AND  
 [PROPOSED] ORDER ON E-  
 DISCOVERY**

21  
 22 WHEREAS, on July 31, 2012, the Court ordered that the parties meet and confer and file  
 23 a stipulation and proposed order regarding their agreements on E-discovery.

24 WHEREAS, on August 8, 2012, Plaintiff James Collins (“Plaintiff”) and Defendants The  
 25 Gillette Company and The Proctor & Gamble Company (“Defendants”), by their undersigned  
 26 counsel, met and conferred and reached an agreement regarding the format of the production of  
 27 E-Discovery.  
 28

1 ACCORDINGLY, IT IS HEREBY STIPULATED by and between Plaintiff and  
2 Defendants that E-discovery will be produced according to the following specifications:

3 1. Document Production Format.

- 4 a. TIFF Images. Unless otherwise stated below, each document shall be produced in  
5 black and white Group IV Tagged Image File Format (“TIFF”) regardless of whether  
6 it was stored by the parties in the ordinary course of business in electronic or hard  
7 copy form. Each TIFF image file should be one page and should reflect how the  
8 source document would appear if printed to hard copy.
- 9 b. Load Files. Document productions shall include Relativity-compatible Load Files that  
10 indicate document breaks of the TIFF images and the following metadata fields:  
11 BEGBATES, ENDBATES, BEGATTACH, ENDATTACH, CUSTODIAN, TO,  
12 FROM, CC, BCC, AUTHOR, SUBJECT, DATECREATED, DATESENT, DATE  
13 LAST MODIFIED, MD 5 HASH, TEXTPATH, and NATIVELINK. The metadata  
14 fields listed above are subject to change upon approval of both parties.
- 15 c. File Name. Each document image file shall be named with the unique Bates Number  
16 of the page of the document in question followed by the file extension “TIF.”
- 17 d. Document Unitization. If a document is more than one page, the unitization of the  
18 document and any attachments and/or affixed notes shall be maintained as they existed  
19 in the original document.

20 2. Searchable Text. In addition to TIFF images, each production will include text files  
21 corresponding to the TIFF image files described above.

- 22 a. Hard Copy Documents. Hard copy documents shall be scanned using Optical  
23 Character Recognition (“OCR”) technology and searchable ASCII text (or Unicode  
24 text if the text is in a language requiring characters outside of the ASCII character set)  
25 files shall be produced. Each file shall be named with the unique Bates Number of the  
26 first page of the corresponding TIFF document followed by the extension “TXT.”  
27 Records that do not contain extracted text will also undergo OCR as applicable.  
28

- 1           b. Electronic Documents. The full text of each native electronic document shall be  
2           extracted (“Extracted Text”) and produced in a text file. The Extracted Text shall be  
3           provided in searchable ASCII text format (or Unicode text format if the text is in a  
4           language requiring characters outside of the ASCII character set) and shall be named  
5           with the unique Bates Number of the first page of the corresponding TIFF document  
6           followed by the extension “TXT.” Searchable text files corresponding to the TIFF  
7           image files for redacted Electronic Documents must include Extracted Text or OCR  
8           text only to the extent that it will not disclose redacted information.
- 9       3. Production Media. Documents shall be produced on external hard drives or readily accessible  
10       computer or electronic media (the “Production Media”), such as CDs or DVDs. Each piece of  
11       Production Media shall identify: (1) the producing party’s name; (2) the production date; and  
12       (3) the Bates Number range of the materials contained on the Production Media
- 13       4. Metadata. For all Electronic Documents, an ASCII text (or Unicode text if the text is in a  
14       language requiring characters outside of the ASCII character set) Load File shall be produced  
15       setting forth the Data Fields listed in Section 1.b. above. For redacted Electronic Documents,  
16       metadata fields must be produced only to the extent such fields will not disclose redacted  
17       information. The parties reserve the ability to request that additional Data Fields be provided  
18       for certain specified Electronic Documents upon review of the other party’s production. A  
19       party is not obligated to produce metadata from a document if metadata does not exist in the  
20       document, or if the metadata is not machine-extractable.
- 21       5. Native Production. The parties will produce spreadsheet files and media files and in native  
22       form. Additionally, any records where TIFF images cannot be created shall be produced in  
23       native form. Such native file productions shall include Metadata as set forth in Section 1.b.  
24       above and a single-page TIFF image (placeholder) indicating that the associated file was  
25       produced in native form. Each produced native file shall be named with a unique Bates  
26       Number (e.g., ABC00000001.xls).
- 27  
28

- 1 6. Additional Native Production. The parties reserve the ability to request other file types be
- 2 produced in native form or in another reasonably usable form upon review of the other party's
- 3 production. The parties reserve their respective rights to object to any such request.
- 4 7. Cost Shifting. The parties reserve and do not waive their rights to seek cost shifting, where
- 5 appropriate, with respect to discovery of electronically stored information.

6 Dated: August 14, 2012

SCHUBERT JONCKHEER & KOLBE LLP

7  
8 By: /s/ Noah M. Schubert  
Noah M. Schubert

9 Noah M. Schubert (State Bar No. 184731)  
10 nschubert@schubertlawfirm.com  
SCHUBERT JONCKHEER & KOLBE LLP  
11 Three Embarcadero Center, Suite 1650  
San Francisco, CA 94111-4018  
12 Telephone: (415) 788-4220  
Facsimile: (415) 788-0161

13 Attorney for Plaintiff  
14 JAMES COLLINS

15  
16 Dated: August 14, 2012

JONES DAY

17 By: /s/ Robert A. Mittelstaedt  
18 Robert A. Mittelstaedt

19 Robert A. Mittelstaedt (State Bar No. 60359)  
ramittelstaedt@jonesday.com  
20 JONES DAY  
555 California Street, 26th Floor  
21 San Francisco, CA 94104  
Telephone: (415) 626-3939  
22 Facsimile: (415) 875-5700

23 Attorney for Defendants  
24 THE GILLETTE COMPANY and THE  
PROCTER & GAMBLE COMPANY

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26 DATE: August 20, 2012

27 

28 MAGISTRATE JUDGE  
ELIZABETH D. LAPORTE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SIGNATURE ATTESTATION

I hereby attest that the content of this document is acceptable to all persons whose signatures are indicated by a “conformed” signature (/s/) within this efiled document.

Dated: August 14, 2012

SCHUBERT JONCKHEER & KOLBE LLP

By: /s/ Noah Schubert  
Noah M. Schubert

Attorney for Plaintiff  
JAMES COLLINS

SFI-740734v1