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16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

20 **CSR TECHNOLOGY, INC., a Delaware
 corporation,**

21 **Plaintiff,**

22 **v.**

23 **FREESCALE SEMICONDUCTOR, INC.,
 24 a Delaware Corporation,**

25 **Defendant.**

Case No. 3:12-cv-02619-RS

**STIPULATION AND [PROPOSED]
 ORDER REGARDING
 ELECTRONICALLY STORED
 INFORMATION**

26
 27 Plaintiff CSR Technology, Inc. and Defendant Freescale Semiconductor, Inc.,
 28 (collectively, the "Parties") by and through their respective counsel, hereby stipulate and agree as

1 follows:

2 **Production of Emails**

3 1. The Parties agree not to request production of e-mails from any of the other Parties
4 in this case, except that, any party, upon a showing of good cause, may request another party to
5 search and produce relevant e-mails of a specific custodian. The Parties are not prohibited from
6 producing e-mails. To the extent that e-mails are produced in this case, they may be utilized by
7 any party. The Parties agree that they will not “cherry pick” and only produce helpful emails
8 from certain custodians or on certain topics. To the extent a party voluntarily elects to produce
9 emails from a certain custodian or on a certain topic, that party, upon request, is obligated to
10 produce otherwise responsive emails from that certain custodian and/or emails on that certain
11 topic.

12 **Form of Document Production**

13 2. Except as set forth in paragraph 8 below, the parties shall each produce responsive
14 and non-privileged electronic documents electronically as: (a) a Bates-stamped 300 dots per inch
15 (dpi) searchable multi-page PDF; (b) single-page Group IV .TIF images; or (c) Single Page TIF
16 images with a Concordance, Opticon, Summation and/or IPRO image load file containing
17 BegDoc, EndDoc numbers, or (d) native files. The party producing documents shall elect in
18 which form to produce. Color documents can be produced as black and white documents with the
19 option to get color documents if specifically requested and upon a showing of good cause by a
20 party.

21 3. If a document is searchable in its native format, the producing party will produce it
22 in a searchable form upon a good faith request from the receiving party. Electronic documents
23 produced under paragraph 2(b) or 2(c) will be produced with extracted text. No party will be
24 obligated to render a document that is not searchable in its native format to searchable native
25 format for the purposes of producing the document. To the extent a producing party provides
26 electronically-produced files in searchable format, the receiving party accepts the files “as is,”
27 and the producing party accepts no liability as to the accuracy of searches conducted upon such
28 files.

1 4. For electronic documents, an ASCII text delimited file shall be produced setting
2 forth the following metadata fields:

3 Beginning Document Bates Number

4 Ending Document Bates Number

5 Beginning Attachment Bates Number

6 Ending Attachment Bates Number

7 A party is not obligated to produce metadata from an electronic document unless requested by
8 another party for good cause. A party is never obligated to produce metadata from an electronic
9 document if metadata does not exist in the document or if the metadata is not machine-extractable.

10 5. Scanned/paper documents should be produced in the same manner as electronic
11 documents identified in paragraphs 2 and 4. The documents should be logically unitized (i.e., to
12 preserve page breaks between documents and otherwise allow separate documents to be
13 identified). The producing party does not need to provide scanned/paper documents in text-
14 searchable or optical character recognition (OCR) format, unless the producing party already has
15 said scanned/paper documents in text-searchable or OCR format for its own litigation purposes.
16 The receiving party accepts the files “as is,” and the producing party accepts no liability as to the
17 accuracy of searches conducted upon such files.

18 6. Excel or similar type spreadsheets should be produced in PDF or in native format.
19 In the event that a party requests the Excel spreadsheet in native form, the producing party shall
20 produce the document in native form.

21 **Electronic Discovery**

22 7. No party need deviate from the practices it normally exercises with regard to
23 preservation of backup tapes and systems created for the sole purpose of disaster recovery that it
24 does not otherwise exercise when not in anticipation of litigation (e.g., recycling of back-up tapes
25 is permitted).

26 8. If responsive documents are located on a centralized server or network, the
27 producing party shall not be required to search for additional copies of such responsive
28 documents that may be located on the personal computer, or otherwise in the possession, of

1 individual employees absent a showing of good cause that the production of such additional
2 copies is necessary. No party need deviate from the practices it normally exercises with regard to
3 preservation of such “additional copies” that it does not otherwise exercise when not in
4 anticipation of litigation (e.g., recycling of back-up tapes is permitted).

5 **SO STIPULATED**

6 Dated: September 19, 2012

7 DLA PIPER LLP (US)

8
9 By /s/ Erik Fuehrer

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15 Dated: September 19, 2012

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18 By /s/ Ryan Hubbard

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21 Attorneys for Defendant
22 FREESCALE SEMICONDUCTOR, INC.

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25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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27 Dated: 9/24, 2012

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THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE