

1 John A. McGuinn, Esq. (State Bar No. 036047)  
 Jeannette A. Vaccaro, Esq. (State Bar No. 287129)  
 2 McGUINN, HILLSMAN & PALEFSKY  
 3 535 Pacific Avenue  
 San Francisco, CA 94133  
 4 Telephone: (415) 421-9292  
 Facsimile: (415) 403-0202

5  
 6 Attorneys for Plaintiff  
 JOE CONNELLY

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

|    |                                |   |                                       |
|----|--------------------------------|---|---------------------------------------|
| 11 |                                | ) |                                       |
| 12 | JOE CONNELLY,                  | ) | Case No. C 13-04255 RS                |
| 13 |                                | ) |                                       |
| 14 | Plaintiff,                     | ) | <b>STIPULATED ORDER RE: DISCOVERY</b> |
| 15 | v.                             | ) | <b>OF ELECTRONICALLY STORED</b>       |
| 16 | HANJIN SHIPPING AMERICA, LLC., | ) | <b>INFORMATION FOR STANDARD</b>       |
| 17 |                                | ) | <b>LITIGATION</b>                     |
| 18 | Defendant.                     | ) |                                       |

19  
 20 **1. PURPOSE**

21 This Order will govern discovery of electronically stored information (“ESI”) in this  
 22 case as a supplement to the Federal Rules of Civil Procedure, this Court’s Guidelines for the  
 23 Discovery of Electronically Stored Information, and any other applicable orders and rules.

24 **2. COOPERATION**

25 The parties are aware of the importance the Court places on cooperation and commit to  
 26 cooperate in good faith throughout the matter consistent with this Court’s Guidelines for the  
 27 Discovery of ESI.

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

**3. LIAISON**

The parties have identified liaisons to each other who are and will be knowledgeable about and responsible for discussing their respective ESI. Each e-discovery liaison will be, or have access to those who are, knowledgeable about the technical aspects of e-discovery, including the location, nature, accessibility, format, collection, search methodologies, and production of ESI in this matter. The parties will rely on the liaisons, as needed, to confer about ESI and to help resolve disputes without court intervention.

**4. PRESERVATION**

The parties have discussed their preservation obligations and needs and agree that preservation of potentially relevant ESI will be reasonable and proportionate. To reduce the costs and burdens of preservation and to ensure proper ESI is preserved, the parties agree that:

- a) Only ESI created or received between August 1, 2007 and December 31, 2012, will be preserved;
- b) The parties have exchanged a list of the types of ESI they believe should be preserved and the custodians, or general job titles or descriptions of custodians, for whom they believe ESI should be preserved, e.g., "HR head," "scientist," and "marketing manager." The parties shall add or remove custodians as reasonably necessary;

**5. SEARCH**

The parties agree that in responding to an initial Fed. R. Civ. P. 34 request, or earlier if appropriate, they will meet and confer about methods to search ESI in order to identify ESI that is subject to production in discovery and filter out ESI that is not subject to discovery.

**6. PRODUCTION FORMATS**

The parties agree to produce documents in PDF, TIFF, native and file formats. If particular documents warrant a different format, the parties will cooperate to arrange for the mutually acceptable production of such documents. The parties agree not to degrade the searchability of documents as part of the document production process.

**7. DOCUMENTS PROTECTED FROM DISCOVERY**

- a) Pursuant to Fed. R. Evid. 502(d), the production of a privileged or work-product-protected document, whether inadvertent or otherwise, is not a waiver of privilege or protection from discovery in this case or in any other federal or

