

1 Sharon Djemal, State Bar No. 208461
EAST BAY COMMUNITY LAW CENTER
2 3130 Shattuck Ave.
3 Berkeley, CA 94705
4 Tel: (510) 269-6612
5 Fax: (510) 849-1536
6 sdjema1@ebcl1.org

Attorney for Plaintiff, Winifred Cabiness

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

12 WINIFRED CABINESS,)	Case No. 3:16-cv-01109-LB
)	
13 Plaintiff,)	AMENDED
)	PROPOSED ORDER GRANTING
14 v.)	PLAINTIFF'S <i>EX PARTE</i> APPLICATION
)	FOR EVIDENCE PRESERVATION
15 EDUCATIONAL FINANCIAL SOLUTIONS,)	ORDER
16 LLC DBA CAMPUS DEBT SOLUTIONS,)	
17 and DOES 1-10,)	
)	
18 Defendant.)	

Order

21 Plaintiff WINIFRED CABINESS ("Ms. CABINESS") filed suit against
22 EDUCATIONAL FINANCIAL SOLUTIONS dba CAMPUS DEBT SOLUTIONS, alleging
23 violation of the Telephone Consumer Protection Act. Now pending before the Court is Plaintiff's
24 Ex Parte Motion for a Third Party Evidence Preservation Order. ECF No. _____. Having
25 considered Plaintiff's arguments and the relevant authority, the Court GRANTS the Motion.
26

1 **Third Party Evidence Preservation Order**

2 Good cause exists and the Court therefore orders MetroPCS and its corporate parent, T-
3 Mobile USA, Inc. to preserve any and all records or documents as defined in Federal Rule of Civil
4 Procedure 34(a)(1)(A), related to the MetroPCS user account of Winifred Cabiness, phone
5 number: (510) 927-0913, created after May 1, 2015, regardless of storage or retention medium or
6 method and including all associated content or non-content, electronically stored information
7 either in that account or located on backup or archives, in its respective possession, custody, or
8 control, or that may come into its respective possession, custody, or control hereafter, pending the
9 resolution of this suit or further order of this Court.

10 **SO ORDERED.**

11
12 Dated: May 2, 2016



13 ~~Hon. Jacqueline Corley~~ Laurel Beeler
14 Magistrate Judge of the District Court

15 If the scope of the order (such as the phrase "regardless of storage or
16 retention medium or method" or the phrase "regardless of associated
17 content") poses burdens, the court will consider limiting the scope of
18 the preservation order or authorizing another method to preserve the
19 forensic evidence relevant to the claims.
20
21
22
23
24
25
26
27
28