

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 SIERA STRUMLAUF, et al.,

5 Plaintiffs,

6 v.

7 STARBUCKS CORPORATION,

8 Defendant.

Case No. 16-cv-01306-TEH

**ORDER RE: AUGUST 11, 2017
STATUS CONFERENCE**

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10 On July 31, 2017, the Court held a further case management conference with the
11 parties. ECF No. 82. During this conference, it became apparent that the parties were
12 having a dispute regarding electronic discovery. The parties were given two weeks to
13 meet and confer to attempt to resolve the dispute and were instructed to be prepared to
14 discuss the result of their attempt(s) in a status conference scheduled for August 11, 2017.
15 In preparation for the status conference, both parties submitted supplemental statements
16 setting forth their position on the dispute. See ECF Nos. 83–84. During the August 11,
17 2017 status conference, the Plaintiffs agreed to partially accept the proposal set forth in
18 Starbucks’ supplemental statement. See ECF No. 84 at 3–4. More specifically, the parties
19 agree that Starbucks shall “process, search and review approximately 15 GB of additional
20 ESI in the form of email.” Id. at 4:19–20. The scope of the additional discovery shall be
21 as follows:

Search Terms	Custodians and Dates
(“MENU*” OR ((“STORE*” OR “INSTORE*” OR “RETAIL*”) w/50 (“SIGN*” OR “DISPLAY*” OR “POINT OF SALE” OR “POINT-OF-SALE” OR “POS” OR “POINT OF PURCHASE” OR “POINT- OFPURCHASE” OR “POP”))) AND (“STANDARD*” OR “TIME” OR “TIMING” OR “PERIOD*” OR “DATE*” OR “COMMUNICAT*” OR “DISTRIBUT*” OR “CONVEY*” OR “PUBLISH*” OR “REPRESENT*” OR “CLAIM*” OR	Add custodian: Lilia Tureo-Frick (3/2012 forward)

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"LANGUAGE" OR "MODIF*" OR "CHANG*" OR "REMOV*" OR "REPLAC*" OR "STOP*" OR "FLUID OUNCE*" OR "FL OZ*" OR "FL. OZ*")	
("LATTE*" OR "MOCHA*") AND ("PITCHER*" OR "SERVING*" OR "CUP*" OR "RECIPE*" OR "FORMULA*") AND ("FILL*" OR "FILL-TO*" OR "LINE" OR ("MILK" w/50 ("COST*" OR "EXPENSE*")))	Conduct additional search from 1/1/09 to 3/2012 for Paul Camera and Debbie Antonio Add custodians: Wendy Lubahn (1/1-09 to present) Alene Harris (1/1-09 to present) Michele Prange (1/1-09 to present) Christine McHugh(1/1-09 to present) Lilia Tureo-Frick(1/1-09 to present)

Id. at 3–4. At the same time, the parties could not reach agreement on which party should bear the costs of conducting the additional discovery, which is estimated to cost approximately \$4,500. Id. at 4:22. However, shortly after the status conference, Starbucks filed another supplemental statement agreeing to “incur the cost to collect and process the subject email,” while reserving the right to seek to shift or recover any future costs related to any additional requests for electronic discovery. ECF No. 86, at 2:6–9. In accordance with the parties’ agreement, the Court also orders Starbucks to bear the costs related to conducting the electronic discovery described above.

IT IS SO ORDERED.

Dated: 8/11/2017



THELTON E. HENDERSON
United States District Judge