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10 Attorneys for Defendant,
BEST BUY STORES, L.P.
11 (erroneously sued as BEST BUY CO., INC.)

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

16 JASMEN HOLLOWAY, AMY GARCIA,
CHERYL CHAPPEL, ERIC
17 BLACKSHER, JESSICA TREAS,
LAWRENCE SANTIAGO, JR.,
18 MUEMBO MUANZA, MAURICE
CALHOUN, NICHOLAS DIXON and
19 SUSAN MYERS-SNYDER, on behalf of
themselves and all others similarly situated,

20 Plaintiffs,

21 v.

22 BEST BUY CO., INC., and BEST BUY
23 STORES, L.P.

24 Defendant.

Case No. C 05-05056 PJH (MEJ)

[Hon. Phyllis J. Hamilton]

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING PRODUCTION OF
DOCUMENTS FROM CORPORATE
OFFICERS**

Action filed: December 8, 2005

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1 1. WHEREAS, on November 18, 2008, the Court ordered Best Buy to produce “all
2 non-duplicative relevant documents” from the files of John Walden, Brian Dunn, Brad Anderson
3 and Richard Schulze by December 9, 2008;

4 2. WHEREAS, Best Buy has represented to Plaintiffs that Best Buy immediately
5 thereafter began efforts to collect and image the hard drives of the named executives;

6 3. WHEREAS, Best Buy has represented to Plaintiffs that the holiday shopping
7 season is the busiest time of the year for Best Buy and Best Buy actually goes into “retail freeze”
8 mode to devote almost 100% of its resources to supporting the retail stores;

9 4. WHEREAS, Best Buy has represented to Plaintiffs that the “retail freeze” will
10 inevitably affect the timing of Best Buy’s production;

11 5. WHEREAS, Best Buy has represented to Plaintiffs that Best Buy has already
12 obtained and is in the process of imaging three out of four available hard drives;

13 6. WHEREAS, Best Buy has represented to Plaintiffs that Mr. Schulze’s hard drive is
14 currently in Florida and Best Buy is making all necessary arrangements to image it;

15 7. WHEREAS, before Best Buy can begin producing documents, the data obtained
16 from the hard drives must be filtered using the agreed-upon keyword search terms pursuant to the
17 Court’s November 18 Order;

18 8. WHEREAS, Best Buy has represented to Plaintiffs that before Best Buy can begin
19 producing documents, the data obtained from the hard drives must be uploaded to its e-discovery
20 vendor and de-duped so the parties avoid reviewing duplicate documents already produced in this
21 case;

22 9. WHEREAS, before Best Buy can begin producing documents, they must be
23 reviewed and marked for responsiveness and privilege issues;

24 10. WHEREAS, Best Buy has represented to Plaintiffs that although Best Buy does
25 not yet know the volume of data at issue, unless it grossly exceeds expectations, Best Buy
26 believes it can begin a rolling production and finish by January 9, 2009;

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~~PROPOSED~~ ORDER

Pursuant to Stipulation, it is hereby ORDERED that Best Buy shall begin a rolling production of documents falling within the scope of the Court's November 18, 2008 Order as soon as technologically possible. Best Buy shall keep Plaintiffs informed as to the volume and progress of its review and production. Best Buy shall finish its production of these documents no later than January 9, 2009.

December 9, 2008

DATED: _____



MARIANA E. JAMES,
United States Magistrate Judge

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