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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JASON TRABAKOOLAS,

Plaintiff,

v.

No. C 12-1172 YGR (EDL)

ORDER RE PRIVILEGE DISPUTE

WATTS WATER TECHNOLOGIES, INC., ET AL.,

Defendant.

On May 15, 2013, Judge Rodgers referred to this Court the parties' disputes regarding "(1) Plaintiffs' challenges to assertions of privilege on Defendants' privilege logs; and (2) clawback of inadvertently-produced documents." (Dkt. 135.) Having reviewed the parties' Joint Case Management Conference Statement (Dkt. 131), and in particular sections III.A.2 and III.D of that statement, the Court finds that additional briefing is required to specify and narrow the issues in actual dispute and provide the Court with the evidence needed to resolve these issues.

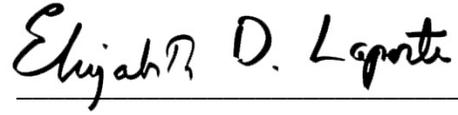
The Court therefore ORDERS:

- (1) the parties to meet and confer regarding this dispute in light of the Order re Discovery Procedures (Dkt. 137); and
- (2) that if the parties are unable to resolve this dispute, the matter must be briefed in accordance with the Order re Discovery Procedures. Plaintiffs are to file the first brief and identify the specific problems with Defendants' privilege logs and clawback request. Any response by Defendants must cite evidence and case law supporting any claimed privilege. Given that Plaintiffs have challenged at least 543

1 privilege log entries, the parties are required to divide the documents in dispute into categories where  
2 possible.

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Dated: May 21, 2013



ELIZABETH D. LAPORTE  
United States Chief Magistrate Judge