

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ERIC BENEDICT, on behalf of himself and classes of those similarly situated,	)	Case No.: 13-CV-0119-LHK
	)	
Plaintiff,	)	ORDER TO MEET AND CONFER
v.	)	
HEWLETT-PACKARD COMPANY,	)	
Defendant.	)	

The Court has reviewed Defendants' Ex Parte Notice of Application for Temporary Restraining Order, Evidence Preservation Order, Order for Expedited Discovery, and Order to Show Cause re Issuance of Preliminary Injunction, ECF No. 41; Defendants' Motion to File First Amended Answer and Counterclaims, ECF No. 46; and Plaintiffs' Opposition to Defendants' Ex Parte Motion, ECF No. 47.

The Court remains disappointed by the parties' lack of cooperation and reasonableness in this case.

The Court is currently presiding over a civil jury trial, and is unable to meet with the parties. The Court recommends that the parties identify a third-party litigation vendor that will maintain custody of the subject hard drive and all copies of the hard drive pending resolution of this issue. The Court further recommends that the parties stipulate to a protocol by which a third party neutral can review the contents of the hard drive and segregate material in which Plaintiff may assert a reasonable expectation of privacy or ownership from material in which HP asserts a property interest, and a process for the parties to challenge any such designation.

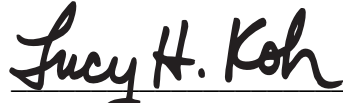
The Court orders the parties to meet and confer to agree upon how to implement the Court's recommended solution by Friday, May 10, 2013, at 5:00 p.m.

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The parties shall file a joint status report by Friday, May 10, 2013, at 7:00 p.m.

**IT IS SO ORDERED.**

May 10, 2013



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LUCY H. KOH  
United States District Judge