

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00684-MSK-CBS

ILS, INC. d/b/a INSURANCE LEADS, SVCS,
Plaintiff,
v.

WMM, INC. d/b/a LETTERS PLUS,
J-MAIL, INC., and
JAYSON KLINE,
Defendants.

JOINT ESI PROTOCOL

Magistrate Judge Craig B. Shaffer

1. The parties agree that electronically stored information comes within the scope of their discovery obligations.

2. The parties agree that they must undertake reasonable and good faith efforts to preserve electronically stored information relevant to the claims or defenses in this matter, including e-mails and other electronic documents (including those in formats such as Word, WordPerfect, Excel, PowerPoint, Acrobat PDF, tiff and other off-the-shelf applications and those in proprietary formats).

3. Given the nature of the case, the parties anticipate they may need to access electronically stored information that may not be readily accessible, such as deleted electronically stored information.

4. The parties also agree that, while much information is stored electronically, it may not be, at this point, relevant or discoverable as electronic information, i.e., in its native format. The parties have agreed to preserve all electronically stored information in native format, but to produce such materials to one another in .pdf format using Adobe. The parties

preserve the right to seek the metadata of specified documents. The requesting party agrees to confer with the other party who has the documents about production of the documents in their native format. If the parties are unable to agree upon the format in which the document should be produced, the requesting party may seek leave of court.

DATED at Denver, Colorado, this 6th day of September, 2013.

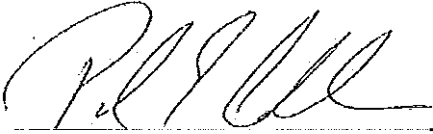
BY THE COURT:

s/Craig B. Shaffer
United States Magistrate Judge

APPROVED:

s/Rory L. Francis

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