

# In The United States Court of Federal Claims

No. 11-72C

(Filed: September 26, 2011)

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NINA K. BEHRENS,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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On September 20, 2011, a telephonic status conference was held in this case. Participating in the conference were Jonathan L. Gould, for plaintiff, and Katy M. Bartelma, for defendant. Pursuant to discussions held at that conference:

1. During the pendency of this litigation or until further order of the court, defendant, its agencies, and employees must take reasonable steps to preserve every document, data or tangible thing (collectively “documents”) in its possession, custody or control, containing information that is relevant to, or may reasonably lead to the discovery of information relevant to, the subject matter involved in the pending litigation. Plaintiff is reminded that she likewise has a duty to preserve evidence relevant to this case.
2. On or before October 18, 2011, and every 28 days thereafter, defendant shall file a status report detailing:
  - i. progress in the recovery of information from Mr. Sorokin’s computer, including the recovery of relevant electronic messages and other documents; and
  - ii. any further steps that have been taken to avoid the further loss of documents, electronic or otherwise, relevant to this case.

3. Defendant shall notify the court immediately should it determine that any other documents relevant to this case have been lost or destroyed.

**IT IS SO ORDERED.**

s/ Francis M. Allegra  
Francis M. Allegra  
Judge