

Dennis Canty

From: Dupre, Andrew [ADupre@McCarter.com]
Sent: Friday, August 17, 2007 1:14 PM
To: Jaffe, Jonathan; Dennis Canty
Cc: McConnell, Stephen; Winchester, Tony; Freebery, James J.; cbailey@bpblaw.com; Dennis Canty; ftrammell@bpblaw.com; JDriscoll@brownandcrouppen.com; kbailey@bpblaw.com; KSmith@AWS-LAW.com; LROTH@roth-law.com; Larry J. Gornick; MPerrin@bpblaw.com; Pederson, Mike; Pennock, Paul; pschneider@gsnlaw.com; Schultz, Laurie; Fernandez, Lenny
Subject: RE: Alternate email addresses

I agree. Just keeping you apprised of the phase and scope of the investigation. I think you'll agree that it would have been worse if, as you alleged at the sanctions hearing, he had an email address tabbed (Seroquel) that was never collected. At least we are now reasonably sure that is not the case. Sourcing is not the same thing as collection, though I agree that they are related from Plaintiffs' perspective.

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-----Original Message-----

From: Jaffe, Jonathan [mailto:jjaffe@weitzlux.com]
Sent: Friday, August 17, 2007 1:55 PM
To: Dupre, Andrew; Canty, Dennis
Cc: McConnell, Stephen; Winchester, Tony; Freebery, James J.; cbailey@bpblaw.com; Canty, Dennis; ftrammell@bpblaw.com; JDriscoll@brownandcrouppen.com; kbailey@bpblaw.com; KSmith@AWS-LAW.com; LROTH@roth-law.com; lgornick@lsg-law.com; MPerrin@bpblaw.com; Pederson, Mike; Pennock, Paul; pschneider@gsnlaw.com; Schultz, Laurie; Fernandez, Lenny
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We still need to account for the 1000+ emails not attributed to Michael Murray. Since IBM (responsible for the collection) assigns custodians, and even assuming they were just searching one box with one PRID, then that does not explain why those emails are not attributed to Mr. Murray, and yet others were. Also, that does not define the scope of the problem with other custodians, including ones of whom we are unaware.

From: Dupre, Andrew [mailto:ADupre@McCarter.com]
Sent: Friday, August 17, 2007 1:46 PM
To: Jaffe, Jonathan; Canty, Dennis
Cc: McConnell, Stephen; Winchester, Tony; Freebery, James J.
Subject: Alternate email addresses

Hello Jonathan:

I have discovered the following facts regarding the so called "alternate email" problem. Though investigation is not complete, I am beginning to believe that collection is not a problem at all. I have learned the following:

1. Every employee has but one email address. The (Seroquel) and similar are merely changes to the display name.

2. There is an underlying unique identifier (PRID) that follows each employee forever and is never reused. PRID tells the exchange server where to send the email. It can be tagged to only one email address at a time. We believe this may be dictated by an FDA requirement.

3. Many circumstances arise where a display name on an email may change. For Mike Murray, it appears to have been the hiring of a different man also named Mike Murray in the environmental group. To avoid the constant problem of people sending environmental Mike all of Seroquel Mike's emails and vice versa, the display tag was adjusted to include (Seroquel). That way, people who pulled him up in the company address book would realize which was the right Mike Murray without having to guess based on middle initial or something similarly esoteric.

4. Similarly, it appears that there are a Susan Fors and a Susanne Fors, both employed at the company at the same time. Thus, when each changed jobs through their careers, their displayed names also needed to change to indicate their positions, to avoid people sending emails to the wrong person. This seems to account for the many Fors addresses you listed. It is two people changing jobs several times.

Our present investigation is to check whether Mike Murray changed to Mike Murray (Seroquel) at some period, or if rather the two names are interspersed. If the former, I think we are fine on collection. That would be good, as we reviewed everything collected hit by the key word search, and thus Plaintiffs would not be missing anything.

Sourcing the names is a different issue. Best-

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