UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MIKE HARRIS and JEFF DUNSTAN, individually and on behalf of a class of similarly situated individuals,	No. 11 CV 5807
Plaintiffs,	
v.	Magistrate Judge Young B. Kim
COMSCORE, INC., a Delaware corporation,	October 23, 2013
Defendant.	

PROTECTIVE ORDER GOVERNING
PRODUCTION OF PLAINTIFF JEFF DUNSTAN'S HARD DRIVE

In accordance with this court's October 16, 2013 Order, it is hereby ordered that:

1.   For purposes of this Protective Order, comScore's Expert shall be Mr. Mike Perry of Elysium Digital LLC, 2 Oliver Street, 11th Floor, Boston, MA 02109. comScore's Expert will be subject to sanctions if he fails to comply with this order.

2.   Plaintiff Dunstan shall provide a full image (the "Image") of his hard drive, as preserved by Plaintiffs' forensic experts, to comScore's Expert by October 25, 2013. comScore's Expert may duplicate the Image upon receipt in order to use the duplicate for inspection.

3.   comScore's Expert shall conduct his search and transfer the data requested by comScore (the "Retrieved Data") to a separate data storage device and

then make a duplicate of the same. This step must be completed by November 1, 2013.

4. Then comScore's Expert is ordered to provide the following to Plaintiffs' counsel by November 1, 2013: (a) a duplicate of the Retrieved Data; (b) a report describing the Retrieved Data and his email address; (c) the Image provided by Plaintiffs; and (d) a declaration that the duplicate of the Image used for his examination was erased, along with the method he used to erase the duplicate. After this step is completed, comScore's Expert should have only one copy of the Retrieved Data.

5. Neither comScore nor its counsel shall be permitted access to the Image or the Retrieved Data nor be present during its examination. comScore's Expert shall not show or disclose the Retrieved Data to comScore unless the court orders its release or Plaintiffs' counsel authorizes its release in writing.

6. If there are materials among the Retrieved Data that should not be disclosed to comScore ("Disputed Data"), Plaintiffs' counsel then has until November 5, 2013, to confer about the materials with comScore. If the matter cannot be resolved, Plaintiffs have until November 11, 2013, to move to exclude the Disputed Data from disclosure on any grounds provided for under the Federal Rules of Civil Procedure and notice the motion for November 15, 2013. Plaintiffs are to remove the Disputed Data from the Retrieved Data and transfer them to a separate storage device. Plaintiffs must then provide the Retrieved Data to comScore minus the Contested Data at the same time they file their motion to exclude. If a

protective order is necessary to limit the access to this information, Plaintiffs should first confer with comScore. The court will then issue a follow-up order providing additional directions pertaining to the Retrieved Data and Contested Data when it rules on the motion.

7. If there is nothing to dispute, Plaintiffs must contact comScore's Expert in writing authorizing the release of the Retrieved Data by November 11, 2013.

8. If the steps the court orders here are technically not possible, too cumbersome or expensive, the court grants the parties leave to agree on an alternative methodology or protocol for segregating the data as needed.

IT IS SO ORDERED.

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Young B. Kim
United States Magistrate Judge