

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE LEAR CORPORATION
ERISA LITIGATION

MASTER FILE NO. 06-11735

DISTRICT JUDGE ARTHUR J. TARNOW

THIS DOCUMENT RELATES TO:
ALL ACTIONS

MAGISTRATE JUDGE VIRGINIA MORGAN

**ORDER CONDITIONALLY GRANTING DEFENDANT'S
MOTION TO UPDATE RECORD RETENTION POLICY**

This matter is before the court on defendant Lear Corporation's Motion For Leave to Update Record Retention Policy filed December 7, 2007 (D/E 39). A hearing on the motion was held before the magistrate judge on January 30, 2008. For reasons stated on the record, IT IS ORDERED that the Motion IS GRANTED subject to the following conditions:

- 1) By February 6, 2008, counsel are to jointly identify the universe of documents upon which there need to be a "litigation hold" to preserve documents to this case.
- 2) By February 13, 2008, counsel are to identify the list of "search terms" to be applied to that universe.
- 3) Failure of Lear to subsequently produce documents will subject it to an instruction and/or additional sanctions up to and including a judgment against it as well as attorneys fees for destruction of discoverable documents.

4) Counsel advised that discovery closes April 30, 2008 and no requests for extension are anticipated.

No costs to either side.

S/Virginia M. Morgan
Virginia M. Morgan
United States Magistrate Judge

Dated: February 1, 2008

PROOF OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record via the Court's ECF System and/or U. S. Mail on February 1, 2008.

s/Barbara M. Radke
Secretary to
Magistrate Judge Virginia M. Morgan