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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
SOUTHERN DIVISION**

Kathleen Bliss, on behalf of herself, the
Proposed Nationwide Rule 23 Class, and the
Proposed Nevada Subclass,

Plaintiff,

v.

CoreCivic, Inc.,

Defendant.

Case No. 2:18-CV-01280-JAD-EJY

**STIPULATION REGARDING THE USE
OF NON-ESI DOCUMENTS**

10 The parties hereby stipulate and agree to the following:

11 1. By October 1, 2022, unless otherwise provided for below, Defendant shall produce all
12 non-ESI documents in its possession, custody, or control responsive to Plaintiff's Document
13 Request Nos. 5, 8, 10, 11, and 18, Set I ("Documents At Issue").

14 2. To the extent Defendant is unable to determine whether the Documents At Issue are in
15 its possession, custody or control or otherwise cannot produce the Documents At Issue by October
16 1, 2022, then Defendant shall not use any Documents At Issue that were not produced prior to
17 October 1, 2022, the absence of the Documents At Issue, or Plaintiff's inability to adduce evidence
18 of the existence or about the content of the Documents At Issue to argue against class certification.

19 3. This Stipulation does not extend to non-ESI documents responsive to Plaintiff's
20 Document Request Nos. 5, 8, 10, 11, and 18 that Defendant has determined are not in its possession,
21 custody, or control, but rather are in the possession, custody, or control of its government partners
22 and/or other vendors providing services to those government partners.

23 4. This Stipulation does not preclude Defendant from disclosing or introducing materials in
24 response to the Declaration of Alexander Wise, including but not limited to, Declarations and
25 summary exhibits, within the deadline set by the Court for Defendant's class certification expert
26 disclosures.

27 5. Nothing in this Stipulation shall preclude Defendant from arguing against class
28 certification on the basis of non-ESI documents produced prior to October 1, 2022 or ESI produced

1 after October 1, 2022 but prior to class certification briefing. With respect to ESI produced after
2 October 1, 2022, Plaintiff reserves her right to argue untimely disclosure and/or prejudice if
3 documents were not produced consistent with the ESI protocols in this case or otherwise improperly
4 withheld.

5 Date: September 15, 2022

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15 Attorneys for Plaintiff and the Proposed
16 Classes

17 **IT IS SO ORDERED:**

18 
19 _____
20 UNITED STATES MAGISTRATE JUDGE

21 DATED: September 15, 2022