

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Daniel Gutierrez and Kassandra  
Gutierrez, )  
)  
)  
Plaintiffs, )  
)  
vs. )  
)  
Smith International, Inc.; et. al., )  
)  
Defendants. )

**ORDER**

Case No. 1:17-cv-002

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On February 6, 2018, plaintiffs filed a motion to quash a subpoena to produce documents served by defendant Halliburton Energy Service Inc. (“Halliburton”) on Rollie Port Investigations, Inc., a non-party. On February 28, 2018, plaintiff and Halliburton filed a stipulation in which they agreed to the following:

1. Plaintiffs will obtain the documents sought by Halliburton from Rollie Port Investigations, Inc. within 20 days using a third-party records company.
2. The documents will be held by the third-party records company, bates numbered with access given to plaintiffs to review for privilege.
3. Plaintiffs will have 7 business days to review said records for privilege and provide Halliburton with a privilege log.
4. If plaintiffs are claiming any of the materials privileged, they will submit the privileged material to the court for in camera review and immediately release the non-privileged portion of the documents to Halliburton.

The court **ADOPTS** the parties’ stipulation (Doc. No. 60). The motion to quash (Doc. No. 55) is deemed **MOOT** with the understanding parties may file the appropriate motion should there be any

issues with respect to the privilege log and/or the subpoenaed documents.

**IT IS SO ORDERED.**

Dated this 1st day of March, 2018.

*/s/ Charles S. Miller, Jr.* \_\_\_\_\_  
Charles S. Miller, Jr., Magistrate Judge  
United States District Court