

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRAND ENERGY & INFRASTRUCTURE : CIVIL ACTION  
SERVICES, INC., et al. :  
 :  
 :  
 v. :  
 :  
 :  
 IREX CORPORATION, et al. : NO. 16-2499

**ORDER**

AND NOW, this 7th day of February, 2018, upon consideration of Plaintiffs' Motion to Compel Documents Responsive to Brand's Fifth Request for Production of Documents, the response, and for the reasons stated in the accompanying Memorandum, IT IS HEREBY ORDERED that Plaintiffs' motion is GRANTED IN PART and DENIED IN PART.

1. With respect to Requests 1 and 2, if Defendants have any documents evidencing its assertion that none of the identified servers was commissioned or decommissioned during the relevant time period, they will produce such documents. If they do not, they shall confirm that there are no responsive documents. Defendants shall also either amend their prior response that none of the listed servers was commissioned or decommissioned during the specified time frame or provide a verified confirmation of that response.

2. With respect to Request 6, defense counsel shall confirm that Defendants have searched the servers that could contain responsive documents and, if unable to so confirm, shall search the appropriate servers for responsive documents.

In all other respects, the Motion is DENIED.

BY THE COURT:

/s/ELIZABETH T. HEY

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ELIZABETH T. HEY, U.S.M.J.