




J. Craig Whitley
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re	:	Chapter 11
ALDRICH PUMP LLC, <i>et al.</i> , ¹	:	Case No. 20-30608 (JCW)
Debtors.	:	(Jointly Administered)

**CASE MANAGEMENT ORDER FOR ESTIMATION OF
ASBESTOS CLAIMS**

On September 24, 2021, Aldrich Pump LLC ("Aldrich") and Murray Boiler LLC ("Murray"), the debtors and debtors in possession in the above-captioned chapter 11 cases (the "Debtors"), filed a motion pursuant to section 502(c) of title 11 of the United States Code (the "Bankruptcy Code"), seeking authorization of an estimation of all asbestos-related personal injury claims against the Debtors that manifested disease prior to the petition date (the "Estimation Motion").

On January 27, 2022, the Court announced that it was granting the Estimation Motion, but expanded the scope of the estimation to cover all asbestos-related personal injury

¹ The Debtors are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): Aldrich Pump LLC (2290) and Murray Boiler LLC (0679). The Debtors' address is 800-E Beaty Street, Davidson, North Carolina 28036.



claims against the Debtors, both prepetition and postpetition. The Court entered its formal order confirming the same on April 18, 2022 [Dkt. 1127].

On June 9, 2022, the Debtors filed their *Motion of the Debtors for an Order Approving the Debtors' Proposed Case Management Order for Estimation*, [Dkt. 1205] (the "Debtors' CMO Motion"). Also on June 9, 2022, the Official Committee of Asbestos Claimants (the "Committee") filed its *Motion for Entry of an Order Establishing Case Management Procedures for Estimation*, [Dkt. 1207] (the "ACC's CMO Motion" and with the Debtors' CMO Motion, the "Competing CMO Motions"). After full briefing, the Court heard oral argument on the Competing CMO Motions on June 30, 2022.

This Order sets forth the initial schedule and procedures that shall apply to the contested estimation proceeding that this Court ordered would take place in its April 18, 2022 order (the "Estimation Proceeding").

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. Each of the Debtors, the ACC, the Future Claimants Representative (the "FCR"); Trane U.S. Inc, and Trane Technologies Company LLC (and, together with the Debtors, the Committee, the FCR, and Trane U.S. Inc., the "Parties," or each individually a "Party") shall be the parties to the Estimation Proceeding.
2. The Joint Discovery Plan and Report (ESI Protocol) (the "Discovery Plan"), attached hereto as Exhibit 1, shall govern discovery of electronically stored information ("ESI") among the Parties to the Estimation Proceeding.
3. Initial Disclosures. Pursuant to Rules 9014(c) and 7026 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Rule 26(a)(1) of the Federal Rules of Civil Procedure (the "Civil Rules") shall apply in the Estimation Proceeding. Each Party shall make its

initial disclosures by 30 days after the entry of this Order. The Debtors' initial disclosures shall include the following:

- a. Custodians. The Debtors shall identify no less than 20 custodians most likely to have discoverable information in their possession, custody, or control. The custodians shall be identified by name, title, and role related to the Debtors' asbestos related personal injury claims, and the disclosures shall describe the nature and types of information in the custodians' possession, custody or control.
- b. Non-Custodial Data Sources.² The Debtors shall identify no less than 10 non-custodial data sources most likely to contain non-duplicative discoverable information.
- c. Shared Repositories and Drives. The Debtors shall identify shared repositories, shared databases, and shared drives reasonably likely to contain discoverable information.

4. The Parties shall serve preliminary disclosures of the identities of fact witnesses (not including any expert witnesses who will be disclosed pursuant to Rule 26(a)(2) under a separate schedule to be later determined) they plan to call in their cases-in-chief no later than 90 days following the entry of this Order. These disclosures shall be timely supplemented on a rolling basis until 60 days before the completion of the Written Discovery deadline set forth in Paragraph 10. Following this latter date, no further supplements will be permitted without permission of the Court; provided, however, that the disclosures may be supplemented up until 60

² "Non-custodial data sources" means systems or containers that store information that the Debtors do not, and their predecessors "Old Trane" and "Old IRNJ" did not, organize, manage, or maintain.

days before the expiration of any extensions to the deadlines set forth in Paragraph 10, including extensions of that schedule ordered under Paragraph 10.

5. The Parties shall serve preliminary disclosures of the subjects of expert testimony and fields of expertise (but not the experts' identities) for their respective cases in chief cases no later than 90 days before the date for completion of Written Discovery set forth in Paragraph 10.

6. The limitations on discovery found in Civil Rule 33, made applicable to this contested matter by Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") 7033 and 9014, are applicable to this Estimation Proceeding. The Parties agree that each side may serve no more than 50 interrogatories, including all discrete subparts. The Parties reserve the right to modify, either through stipulation or further order from this Court the number of interrogatories permitted by Rule 33 and this Order.

7. Any Party may pursue non-party discovery (including requests made by subpoenas *duces tecum*) at any time subject to the rules applicable to contested matters ("Non-Party Discovery").

8. Each Party may serve interrogatories, requests for production of documents, or requests for admission, on any other Party (collectively "Written Discovery") at any time subject to the deadlines for Written Discovery.

9. The ACC will serve the Debtors with an interrogatory asking the Debtors to identify all resolved mesothelioma claims against Old Trane, Old IRNJ, or the Debtors (i) for which the Debtors contend that the plaintiff's identification of Old Trane's or Old IRNJ's product was false, incomplete, or misleading, (ii) for which the Debtors contend that the plaintiff did not disclose, or did not fully disclose, their potential exposure to asbestos-containing products of other

manufacturers, (iii) for which the Debtors contend that the plaintiff did not disclose, or did not fully disclose, claims made to asbestos personal injury trusts, (iv) that the Debtors (or any counsel or expert for the Debtors) have reviewed to date in connection with this Estimation Proceeding, and (v) that the Debtors' counsel or experts have requested. No later than 90 days prior to the close of the Written Discovery period set forth in Paragraph 10, the Debtors shall respond to the interrogatory described above. The Debtors will have the right to supplement their responses until the close of Written Discovery. For any claims identified in the last 90 days of the Written Discovery period, the ACC shall be given an additional 90 days after such disclosure to seek Written Discovery as it relates to those newly disclosed claims.

10. All Written Discovery shall be served such that the response time for said discovery expires no later than 365 days after the entry of this Order.

11. Within 10 days of service of a written response to a request for production, the Parties shall meet and confer concerning an estimated time for substantial completion of any responsive document production.

12. Any motion to compel or other motions directed at compliance with Written Discovery must be served no later than 60 days after the expiration of the 365 day period described in Paragraph 10.

13. To the extent any motions directed at compliance with Written Discovery remain pending, or to the extent any additional responses to Written Discovery resulting from orders of this Court remain outstanding after the deadlines set forth in Paragraph 10, this Court will extend the deadlines set forth in Paragraph 10 solely for compliance with the outstanding Written Discovery to which the motions are directed.

14. A schedule for fact witness depositions and associated productions, expert reports, depositions, and associated productions, and the estimation trial and related pretrial activities will be set by the Court after the completion of Written Discovery.

15. Upon a showing of good cause by any Party, after notice and hearing, the Court may alter or extend any of the deadlines specified herein.

16. This Court shall retain jurisdiction to hear and determine all matters involving the interpretation, implementation, or enforcement of this Order.

This Order has been signed electronically.
The Judge's signature and Court's seal appear
at the top of the Order.

United States Bankruptcy Court

EXHIBIT 1

ESTIMATION PROCEEDING JOINT DISCOVERY PLAN AND REPORT (ESI PROTOCOL)

The following *Joint Discovery Plan and Report (ESI Protocol)* (this "Discovery Plan") will govern discovery, including discovery of electronically stored information¹ ("ESI"), in connection with the estimation proceeding contemplated by the *Order Authorizing Estimation of Asbestos Claims* [Dkt. 1127] (such proceeding, the "Estimation Proceeding") and the appended *Case Management Order for Estimation of Mesothelioma Claims* (the "Case Management Order"): ²

1. **Discovery.**

- A. **Requests.** Each Party may serve (the "Requesting Party") interrogatories, requests for production of documents, and requests for admission (collectively, "Requests") subject to the rules applicable to contested matters, the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), the Federal Rules of Civil Procedure (the "Civil Rules"), and the deadlines for completion of discovery set forth in the Case Management Order.
- B. **Cooperation.** The Parties will cooperate in good faith throughout the discovery process in the Estimation Proceeding. The Parties recognize that discovery of ESI is governed by the proportionality standard set forth in Civil Rule 26.

¹ The timing the collection, review, and production of the Parties' hard copy documents may need to be assessed in light of the ongoing COVID-19 pandemic and its impact on safe access to physical workspaces and documents.

² Capitalized terms not otherwise defined in this Discovery Plan shall have the meanings given to them in the Case Management Order.

2. **Document Production.** Productions of documents³ shall commence within 30 days of service of the Requests to the Party responding to the Requests (the "Responding Party"), be made on a rolling basis and, subject to the following sentence, be substantially completed within 75 days of service of the Requests. Within 10 days of service of responses to Requests, the Parties shall meet and confer regarding the propriety of the 75-day deadline for substantial completion of production in response to such Requests. If the Parties agree to a modification of the deadline, the deadline shall be changed in accordance with the Parties' agreement. If the Parties are unable to reach an agreement, the Party requesting a change may ask the Court, by motion, to set the substantial completion deadline.

3. **Custodians.** In response to requests for production, a Party shall search the ESI and, where practicable, the hard-copy documents of applicable current and/or former employees or other individuals whose ESI or documents are in the Party's possession, custody, or control (each a "Custodian").

4. **Identification of Custodians.** Within ten days of the disclosures identified in Paragraph 3 of the Case Management Order, the Parties shall meet and confer concerning the Custodians. The Parties will negotiate in good faith to reach agreement as to the number and identity of Custodians whose ESI will be searched in connection with the Estimation Proceeding. After reaching agreement concerning the number and identity of Custodians, the Parties, nonetheless, may request searches of the custodial data of additional Custodians if, in their view, it becomes apparent that other such Custodians likely have responsive documents. The Parties will meet and confer in good faith regarding such request. If the Parties are unable to resolve any

³ For the purposes of this Discovery Plan, "document" shall have the meaning set forth in Civil Rule 34, but shall exclude documents that the Parties agree are not reasonably accessible as described in Section 6.B.

dispute regarding Custodian designation, whether concerning number or identity, the Requesting Party may seek relief from the Court.

5. **Preservation Obligations.** Nothing in this Discovery Plan shall affect the Parties' respective preservation obligations imposed by rule or law.

6. **Search and Identification of ESI.** In responding to requests for production, the Parties will meet and confer about methods to search ESI for documents that will be reviewed for responsiveness, privilege, confidentiality, and production.

- A. **Application of Search Methodology.** The Parties shall meet and confer to develop a search methodology to be applied to identify and limit the volume of custodial ESI to be reviewed for responsiveness. The Parties shall exchange proposed search terms to apply their search of Custodian files and Shared Repositories (as defined below) as appropriate, and attempt to reach agreement as to those search terms. In the event the search terms identified return an unmanageable volume of ESI for review, the Responding Party reserves the right to propose modifications to the proposed terms and will meet and confer with the Requesting Party regarding such a change. As specified in Sections 6.D and 6.E, the Parties may use certain other search methods and analytics tools to manage the volume of ESI for review.
- B. **Not Reasonably Accessible ESI.** The Parties agree that they will work cooperatively on determining what ESI is reasonably accessible and what is not and agree to consider in good faith reasonable requests for information on ESI management in that effort. ESI of limited accessibility may include those documents created or used by electronic media no longer in use, maintained in redundant electronic storage media, or for which retrieval involves substantial cost. For purposes of this paragraph, the Parties agree that the following sources of ESI are not reasonably accessible:
 - (a) Data stored in a backup system for the purpose of system recovery or information recovery, including, but not limited to disaster recovery backup tapes and media, continuity of operations systems, and data or system mirrors or shadows.
 - (b) Voicemail recordings.
 - (c) Instant/Chat Messages.

- (d) Mobile devices and ESI or other data stored on mobile devices, including smart phones or tablets.⁴
 - (e) Legacy Data (*e.g.*, data stored on floppy discs).
 - (f) Deleted, erased, or overwritten computer files, whether fragmented or whole, which were deleted in the regular course of business.
 - (g) Data stored in Random Access Memory (*i.e.*, RAM), cache memory, or in temporary or cache files, including internet history, web browser cache, and cookie files, wherever located.
 - (h) Encrypted data/password protected files, where the key or password cannot be ascertained absent extraordinary efforts.
 - (i) Data stored on printers, photocopiers, scanners, and fax machines.
 - (j) Data stored as server, system, or network logs.
- C. **Shared Repositories and Drives.** The Parties shall, consistent with Paragraph 3 of the Case Management Order, in good faith and using reasonable measures, identify and search shared repositories, shared databases, and shared drives reasonably likely to contain discoverable documents or communications ("Shared Repositories").
- D. **Use of Other Review Analytics.** The Parties may use other reasonable review analytics or tools, including but not limited to de-duplication, e-mail threading, inclusiveness-only review and production, and technology-assisted review to streamline the review of ESI, to the extent that those review analytics and tools are consistent with other provisions in the Discovery Plan, including provisions relating to the Form of Production (Section 6.F below). Those review and analytics tools used by any Party that are set forth in section 6.E shall be disclosed to the other Parties.
- E. **Use of Predictive Coding, Clustering, or Technology Assisted Review.** Before a Responding Party employs culling tools, such as predictive coding, clustering, or Technology Assisted Review, to remove from review documents otherwise identified using the search terms referenced herein, the Responding Party shall advise the Requesting Party of its intention and provide the Requesting Party with a statistical sample of documents it intends to use to seed the process in the case of predictive coding, or the search parameters that the Responding Party intends to use. Within five business days of being notified of the Responding Party's intention to use predictive coding or other analytic tools listed in this paragraph, the Requesting Party may object in writing. In the event of an objection, the Parties

⁴ For the avoidance of doubt, "Mobile devices" does not include laptop computers.

will meet and confer and attempt to reach resolution. If no resolution is met, the Parties may raise disputed issues with the Court.

- F. **Form of Production.** The Parties agree to produce responsive non-privileged ESI in the manner set out in this Discovery Plan. The Parties agree to take reasonable steps not to degrade the searchability or legibility of ESI as part of the document review and production processes. Additionally, if particular responsive ESI warrants a format different than those set out below, the Parties will meet and confer in an effort to agree to a mutually acceptable format.
- G. **Format for ESI.** The Parties shall produce responsive non-privileged ESI in the format set out in Attachment A hereto unless otherwise agreed in writing or ordered by the Court.
- H. **Format for Electronically Scanned Hard Copies.** To the extent practicable, the Parties shall produce electronically scanned hard-copy documents in the applicable format set out in Attachment A unless otherwise agreed in writing or ordered by the Court. In particular, the Parties shall format such documents with optical character recognition, or OCR, as described in Attachment A and include the metadata fields identified in Attachment A where that metadata is available.
- I. **Family Production.** The Parties shall produce documents and e-mail communications as family-complete as is reasonably practicable. The Parties shall not take steps to dissociate attachments to e-mails or other documents from parent e-mails or documents even if the attachments are exact duplicates of other documents in the production. Parent documents and any attachments shall be assigned sequential Bates numbers. If a responsive, non-privileged e-mail or document has a privileged attachment, a Party may replace the attachment with a Bates-numbered slip-sheet indicating that the attachment was withheld on privilege grounds or may redact the privileged material.
- J. **E-mail Threading.** The Parties agree that e-mail threading and inclusiveness-only review and production may be applied to production documents such that only the most inclusive version of any responsive, non-privileged e-mail chain is produced, *provided that* the e-mail-threading process is performed by an e-discovery vendor in a manner consistent with standard practices in the industry and that all independent responsive, non-privileged branches of the chain are produced.
- K. **Global Deduplication.** The Parties agree that automated document de-duplication may be applied across ESI identified for review and production such that only one copy of any responsive, non-privileged document is produced, provided that the de-duplication process is performed by an e-discovery vendor in a manner consistent with standard practices in the industry. Further, de-duplication shall be performed only at the document family level such that attachments are not de-duplicated against identical stand-alone versions of such document and vice versa.

- L. **Related Metadata.** If a Party opts to apply document de-duplication, that Party shall include in its production "Other Custodian" metadata or some other field, to the extent practicable, indicating each Custodian who appears from the available ESI to have maintained a copy of the produced document in his or her files (where such copy was removed from production through the de-duplication process).

7. **Privilege Logs.** Upon the substantial completion of Written Discovery, the Responding Party shall provide a privilege log identifying responsive documents withheld in whole or in part (*i.e.*, redacted) on the basis of privilege. A Responding Party shall use reasonable measures, consistent with applicable law, to include information in their respective privilege logs sufficient to permit the Requesting Party to assess any privilege claims. Specifically:

- A. **Log Information.** The Parties shall provide in their respective privilege logs the categories, or fields, of information identified in **Attachment B** hereto, to the extent available, unless agreed otherwise in writing or pursuant to an order of Court.
- B. **Privilege Redactions.** Where requested documents contain responsive information together with privileged or protected information and the privileged or protected information can be redacted by the Responding Party without undue burden and while preserving for production the responsive information, the Responding Party shall apply such redactions and produce the requested documents. The word "Redacted - Privileged" shall appear over the redacted portion or portions of such documents.
- C. **Categorical Privilege Logging.** The Parties shall meet and confer to discuss those responsive-privileged documents that can be logged categorically (*e.g.*, because logging such documents on a document-by-document basis would be unduly burdensome and disproportionate to the needs of the case). Absent agreement, the Parties reserve their rights to seek relief from the Court on these matters.
8. **Discovery Disputes.**
- A. **Meet and Confer.** If the Parties have a dispute regarding any discovery issue related to the Estimation Proceeding (a "**Discovery Dispute**"), the Parties must meet and confer in a reasonable timeframe prior to filing a discovery-related motion.
- B. **Discovery-Related Motions.** All motion papers under Bankruptcy Rules 7026–7037 and 9016 shall be filed, served, and all such motions shall be briefed and scheduled, consistent with the Order Establishing Certain Notice, Case Management and Administrative Procedures [Dkt. No. 123].

9. **Personal Identifying Information.** Where requested documents contain responsive information together with personal identifying information that is required to be redacted for filings pursuant to Bankruptcy Rule 9037, and such personal identifying information can be redacted by the Responding Party without undue burden and while preserving for production the responsive information, the Responding Party may apply such redactions and produce the requested documents. A black bar shall appear over redacted portion or portions of such documents. The Responding Party shall not be required to provide a log for documents redacted for personal identifying information.

10. **Scope of Discovery.** Nothing in this Discovery Plan constitutes an agreement regarding the appropriate substantive scope of discovery, the responsiveness of any document or category thereof, or the relevance or admissibility of any document or category thereof. The Parties reserve all objections as to discoverability, relevance, authenticity, use, and admissibility.

11. **No Waiver.** Nothing in this Discovery Plan, including any meet-and-confer obligation specified, constitutes a waiver of any privilege or protection available by law, including any Party's attorney-client privilege or the protection afforded to work product and trial preparation materials. Inadvertent production of information subject to a claim of privilege or protection is addressed in and governed by Paragraph M of the *Agreed Protective Order Governing Confidential Information* [Dkt. 345].

12. **Modifications.** The Parties may, by agreement, modify any provision in this Discovery Plan. Further, if the Parties are unable to agree regarding a proposed modification, the Party requesting the modification may seek relief from the Court.

ATTACHMENT A

The Parties shall produce responsive non-privileged ESI in the following format unless agreed otherwise or pursuant to an order of Court:

1. **Format.** ESI should be produced in Concordance, Opticon, or universal format.
2. **TIFFs.** Bates-branded, black and white, Group 4, single page TIFF files at 300 dpi, named according to sequential Bates number will be produced for all ESI documents except spreadsheet file types (*e.g.*, .xls, .xlt, .xml), database file types (*e.g.*, .csv), and software code file types. Single-page TIFF files will be delivered in unique sequentially numbered folders (*i.e.* 001, 002, 003) and each folder shall not consist of more than 5,000 images. No image file name shall contain spaces or underscore symbols. JPG format may be used for pages that require production of color images. If a document was not produced in color and a Party deems color necessary to understand the document, they may request a color image or native form of that document. All image files should cross reference to both the log file for Opticon image base (.OPT) and Concordance delimited text file (.DAT). For word-processing file types other than e-mail (*e.g.* .doc), corresponding TIFF files will reflect any track changes or comments contained in the underlying word-processing documents. If a document is more than one page, the unitization of the document and any attachments and/or affixed note shall be maintained as it existed in the original when creating the image file.
3. **TIFF Reference File.** A log file for Opticon image base (.OPT) that lays out the document unitization of each discrete document will be produced.
4. **Native Format.** Spreadsheet file types, and database file types will be produced in native format. The Parties will provide native files, named according to

ProdBegDoc, in a separate folder and provide the path to the native file in the DocLink field of the .DAT file. Documents produced in native file format shall be produced in the manner such files were maintained electronically in the ordinary course of business. A placeholder TIFF shall be produced indicating the Bates number of the native file and confidentiality designation, if applicable. In the event any document produced in native format is to be used as an exhibit at deposition, trial or otherwise, the Parties may request that the Party using such exhibit provide the MD5 programmatic hash value of the underlying electronic file from which the exhibit is derived to be provided to all Parties, and such information should be provided promptly.

5. **Other File Formats.** Non-document files types (*e.g.*, .wav, .mp3, .aiff, .avi, .mov, .mp4) will be produced in native format with accompanying slip sheet.
6. **Request for Natives.** The parties reserve the right to request native files for individual ESI documents produced in TIFF format.
7. **Redactions to Native Format.** To the extent redactions are necessary in a document to be produced in native form, and the ability to remove such redactions cannot practicably be prohibited in native form, the document may be converted to TIFF format, or some comparable image file type, for redaction. To the extent that such conversion erodes the legibility or significant functionality of a document, the Parties agree to meet and confer in good faith to determine how such document can be produced without those limitations, to the extent practicable, and while still protecting the redacted information.

8. **Hard Copy Documents.** Hard-copy or paper documents should be converted to Group IV, single page TIFF format image files. All hard copy paper documents shall be logically unitized prior to production. Therefore, when scanning or producing paper documents, distinct documents shall not be merged into a single file or database record, and distinct documents shall not be split into multiple files or database records. All Parties shall make their reasonable best efforts to unitize documents correctly.
9. **Extracted Text Files.** For each item of ESI, and any hard-copy or paper document that has been converted to TIFF image file, document level TXT files should be provided in a separate folder and should have file names that are identical to the first TIFF image file of the corresponding images for a document. To the extent practicable, text from native files should be extracted directly from the native file, except that, where redaction is necessary for a document to be produced in native format, the text file corresponding to such document may be extracted from the OCR of the redacted image file (as opposed to from the native file). Redactions shall be reflected in the multipage TXT file containing OCR for searching purposes.
10. **Unique IDs.** Each TIFF image shall have a unique, sequential Bates number. Each Native file shall have a unique, sequential Bates number applied to the TIFF placeholder indicating that the file has been produced in native format.
11. **Metadata.** Where available, the Parties shall produce the following metadata fields for all ESI and scanned hard-copy or paper files produced, in an ASCII delimited text file (.DAT), using standard Concordance delimiters:

Preferred Field Name	Description	Example
ProdBegDoc	Start Bates value.	ABC0500

Preferred Field Name	Description	Example
EndBegDoc	End Bates value.	ABC0500
ProdBegAtt	Start Bates of first attachment.	ABC0501
ProdEndAtt	End Bates of last attachment.	ABC0503
ImageCount	Total pages in document.	1
TO	Email TO recipients.	Mary Smith; Tjones
FROM	Email sender (author).	Doe, John
CC	Email CC recipients.	Some User
BCC	Email BCC recipients.	Johnson, M.
Subject	Email subject line.	Your subject line
DateTimeCrt	The date and time the file/email was created.	4/1/2003 8:12:32 AM
DateCreated	The date the file/email was created.	4/1/2003
TimeCreated	The time the file/email was created.	8:12:32 AM
DateTimeSent	The date and time the email was sent.	4/1/2003 8:12:32 AM
DateSent	The date the email was sent.	4/1/2003
TimeSent	The time the email was sent.	8:12:32 AM
DateTimeRcv	The date and time the email was received.	4/1/2003 8:12:32 AM
DateReceived	The date the email was received.	4/1/2003
TimeReceived	The time the email was received.	8:12:32 AM
DateTimeMod	The date and time the file/email was last saved.	4/1/2003 8:12:32 AM
DateModified	The date the file/email was last saved.	4/1/2003
TimeModified	The time the file/email was last saved.	8:11:32 AM
FileExt	Extension of the file.	.doc
Filename	The name of the file.	Filename.doc
FileSize	The size of the file or message in bytes.	802
DocType	The file type determined by the file signature (Excel, Word etc.).	Microsoft Office Word
MD5HASH		
Custodian	The Custodian associated with the item.	Doe, John
Other Custodians	All custodians who retained a duplicative copy of the file in their ESI files, to the extent that copy was removed by de-duplication.	Doe, John; Doe, Jane; Smith, Mary
DocLink	The relative path to the associated native file.	\\export\000000000000003E8.xls
ExtractText	The extracted text for an item. This field will populate with the path to	“This is sample text. It can be extracted from a

Preferred Field Name	Description	Example
	the text file location and the text will be delivered separately.	document or email or can be generated when converting to TIFF format.”

ATTACHMENT B

1. **Privilege Log Requirements:** The Responding Party (or Responding Parties)⁷ shall provide the following information, where available, for any document withheld on the grounds of privilege or protection from disclosure and for any document produced with redactions, to the extent that providing such information would not waive any privilege or protection:

Preferred Field Name	Description	Example
Parent/Child	Identifying whether a document is the parent document or child document in a family.	Parent; Child
ProdBegDoc	Start Bates number for redacted documents.	ABC0500
EndAtt ID or ProdEndAtt	End identifier value of last attachment. Bates number for redacted documents.	ABC0503
DocType	The file type determined by the file signature (Excel, Word, etc.).	Microsoft Office Word
Author/From	Who drafted or sent the document or message, as appropriate.	Doe, Jane
TO	Email TO recipients. Or those whose received the document, as appropriate.	Mary Smith; Tjones
FROM	Email sender (author).	Doe, John
CC	Email CC recipients.	Some User
BCC	Email BCC recipients.	Johnson, M.
Date	The date and time the file was created, or if an email the date and time the email was received by the custodian.	4/1/2003 8:12:32 AM
Custodian	The Custodian associated with the item.	Doe, John
Other Custodians	All custodians who retained a duplicative copy of the file in their ESI files, to the extent available.	Doe, John; Doe, Jane; Smith, Mary
Redacted or Withheld	Identifying whether a document was withheld in its entirety or produced with redactions.	Produced with Redactions or Withheld Entirely

⁷ Unless otherwise provided herein, this Attachment B adopts the capitalized terms as defined in the Discovery Plan appended hereto.

Preferred Field Name	Description	Example
Privilege / Protection Type ⁸	Basis for withholding or redacting document.	Attorney-Client Privilege, Trial Preparation Material
Privilege / Protection Description ⁹	Explanation of basis for withholding or redacting document with enough information for Requesting Party to assess claimed basis.	E-mail communication reflecting legal advice provided by [insert name of lawyer, firm, and client represented] re: defense strategy related to defense of an asbestos related personal injury claims.
Identification of Attorney(s) on E-mail ¹⁰	The specific attorney(s) appearing in a list of recipients will be specifically identified using either an asterisk or bold or <i>italicized</i> text.	Doe, John; Doe, Jane ; Smith, Mary

2. **Players' List.** The Responding Parties will provide a detailed listing of all individuals appearing on the privilege log. This will identify the individual by organization and include the following information: title within the organization, date(s) of employment, e-mail addresses appearing on the privilege log (including any personal e-mail addresses), user names appearing on the privilege log.

3. **Common Interest Assertions.** If a Responding Party raises common interest or community of interest as privilege/protection type on the privilege log, the Responding Party must describe the common interest with sufficient particularity, which description may include identification of: (a) the parties to such agreement (written or oral), (b) the date such agreement

⁸ To be provided on a category-wide basis if categorical privilege logging is agreed or otherwise ordered by the Court.

⁹ To be provided on a category-wide basis if categorical privilege logging is agreed or otherwise ordered by the Court.

¹⁰ To be provided on a category-wide basis if categorical privilege logging is agreed or otherwise ordered by the Court.

was created and/or effectuated, and (c) the shared common interest(s) that are subject to such agreement(s).