



June 4, 2019

**IMM NOTIFICATION TO PJM MEMBERS
OF SUBPOENA PURSUANT TO
OATT ATTACHMENT M–APPENDIX § I.B**

This notice is to advise the Members that the IMM has received the attached subpoena for information in a case now pending before the United States District Court for the Southern District of Ohio. Member confidential information falls within the scope of the request.

Section I.B of Attachment M of the OATT provides: “[I]f the Market Monitoring Unit is required ... in the course of administrative or judicial proceedings, to disclose to third parties, information that is otherwise required to be maintained in confidence pursuant to the PJM Tariff, PJM Operating Agreement, Tariff, Attachment M or this Appendix, the Market Monitoring Unit may make disclosure of such information.” Section I.B further provides: “[A]s soon as the Market Monitoring Unit learns of the disclosure requirement and prior to making disclosure, the Market Monitoring Unit shall notify the affected Member or Members of the requirement and the terms thereof and the affected Member or Members may direct, at their sole discretion and cost, any challenge to or defense against the disclosure requirement.” Accordingly, the IMM has developed and circulated this notice.

The IMM requests that any Member intending to challenge or defend against the release of Member confidential information within the scope of the subpoena inform the IMM immediately, and no later than **Friday, June 28, 2019**. Communications pursuant to this notice should be sent to *MA@monitoringanalytics.com*.

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Federal Energy Regulatory Commission

Plaintiff

v.

Coaltrain Energy, L.P., et al.

Defendant

Civil Action No. 2:16-cv-732-MHW-KAJ

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: MONITORING ANALYTICS, LLC
2621 Van Buren Avenue, Suite 160, Valley Forge Corporate Center, Eagleville, Pennsylvania 19403

(Name of person to whom this subpoena is directed)

Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment: See attached Exhibit A

Table with 2 columns: Place (Sidley Austin LLP, 787 Seventh Avenue, New York, NY 10019) and Date and Time (07/12/2019 10:00 am)

The deposition will be recorded by this method: by stenographic and audiovisual means

Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/31/2019

CLERK OF COURT

OR

/s/ Kenneth W. Irvin

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Coaltrain Energy, L.P., who issues or requests this subpoena, are:

Kenneth W. Irvin, Sidley Austin LLP, 1501 K Street, NW, Washington, DC 20005, kirvin@sidley.com, (202) 736.8256

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 2:16-cv-732-MHW-KAJ

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



Federal Energy Regulatory Commission

Plaintiff

v.
Coaltrain Energy, L.P., et al.

Defendant

Civil Action No. 2:16-cv-732-MHW-KAJ

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

MONITORING ANALYTICS, LLC

2621 Van Buren Avenue, Suite 160, Valley Forge Corporate Center, Eagleville, Pennsylvania 19403

(Name of person to whom this subpoena is directed)

Production: **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See attached Exhibit B

Place: Sidley Austin LLP 787 Seventh Avenue New York, NY 10019	Date and Time: 07/01/2019 5:00 pm
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Inspection of Premises: **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/31/2019

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

*/s/ Kenneth W. Irvin
Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____
Coaltrain Energy, L.P., _____, who issues or requests this subpoena, are:
Kenneth W. Irvin, Sidley Austin LLP, 1501 K Street, NW, Washington, DC 20005, kirvin@sidley.com, (202) 736.8256

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 2:16-cv-732-MHW-KAJ

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I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____
_____ *Server's signature*

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc.:

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- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
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- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
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- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

FEDERAL ENERGY REGULATORY)	
COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	
)	
COALTRAIN ENERGY, L.P., PETER)	
JONES, SHAWN SHEEHAN, ROBERT)	
JONES, JEFF MILLER, AND JACK)	
WELLS.)	
)	
Defendants.)	

Civil Action No. 2:16-cv-732
 Judge Michael H. Watson
 Magistrate Judge Kimberly A. Jolson

**SUBPOENA TO CONDUCT RULE 30(b)(6) DEPOSITION AND TO PRODUCE
DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF
PREMISES IN A CIVIL ACTION TO THIRD PARTY
MONITORING ANALYTICS, LLC**

EXHIBIT A
DEFINITIONS

As used herein, the following terms shall have the following meanings:

1. “Alleged Manipulative Transactions” means the UTC transactions alleged by FERC in the Complaint to violate section 222 of the Federal Power Act and 18 C.F.R. § 1c.2. *See* Complaint at ¶¶ 113-117.
2. “Coaltrain” means Defendant Coaltrain Energy, L.P.
3. “Complaint” means the complaint, styled as a “Petition,” filed by FERC on July 27, 2016, in this proceeding.
4. “Communication(s)” includes all communications of every kind, including telephone calls, in-person conversations, electronic mail and other electronic communications, correspondence, instant messages, text messages, and all documents (whether in the form of writings, video recordings, audio recordings, or otherwise) memorializing or reflecting the communication.
5. “Documents” refers to all writings and recordings of every type in your possession, control, or custody, including but not limited to Communications, memoranda, correspondence, letters, email, instant messages, text messages, testimony and exhibits, reports (including drafts, preliminary, intermediate, and final reports), surveys, analyses, studies (including economic and market studies), summaries, comparisons, tabulations, charts, books, pamphlets, photograph forms (including microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, and photocopies), maps, sheets, ledgers, transcripts, vouchers, accounting statements, budgets, work papers, engineering diagrams, speeches, and all other records, written,

electronic (including information on electronic or magnetic storage devices), mechanical, or otherwise, and drafts, attachments or appendices of any of the above.

“Documents” includes every copy of a document that contains handwritten or other notations or that otherwise does not duplicate the original.

6. “FERC” means the Federal Energy Regulatory Commission, its commissioners, and all of its offices, divisions and units; all of its current or former Representatives, and any person otherwise subject to its control, which controls it, or is under common control with it.
7. “FERC personnel” means any current or former Commissioner, employee, contractor, or other individual doing work for FERC.
8. “Includes” or “including” means includes (or including) without limitation.
9. “Investigation” means any investigation by FERC’s Office of Enforcement, PJM, or Monitoring Analytics, LLC into Coaltrain’s 2010 UTC trading and related Order to Show Cause proceeding in FERC Docket No. IN16-4-000 described in the Complaint. *See* Complaint at ¶¶ 39-54.
10. “MLSA” means “Marginal Loss Surplus Allocation.”
11. “Person” means any natural person or any business or legal entity.
12. “PJM” means PJM Interconnection, L.L.C., its officers, and all of its offices, divisions and units; all of its current and former officers, and any person otherwise subject to its control, which controls it, or is under common control with it.
13. “PJM Market Monitor” or “Market Monitor” means Monitoring Analytics, LLC, PJM’s independent market monitor, its officers, and all of its offices, divisions and units; all of its current and former officers, any person otherwise subject to its

control, which controls it, or is under common control with it.

14. "PJM personnel" means any current or former officer, employee, contractor, or other individual doing work for PJM.
15. "PJM Market Monitor Personnel" means any current or former officer, employee, contractor, or other individual doing work for Monitoring Analytics, LLC.
16. "Referral" means the written, non-public referral dated January 6, 2011 titled "PJM Marginal Loss Surplus Allocation and Market Participant Transaction Activity: May 15, 2010 through September 17, 2010" by The Independent Market Monitor for PJM, and the related oral referral discussed therein.
17. "Relating to," "relate to," "refer to," "referring to," or "reflecting" means in whole or in part constituting, containing, concerning, embodying, reflecting, describing, analyzing, identifying, stating, referring to, dealing with, tending to support, tending to discredit, or referring or pertaining to in any way.
18. "Representative" or "Representatives" means, both collectively and individually, any Person, agent, director, officer, employee, partner, owner, member, attorney, corporate parent, subsidiary or affiliated entity, acting or purporting to act on behalf of another Person.
19. "UTC" means "Up To Congestion."
20. "You" and "Your" means Monitoring Analytics, LLC.

Monitoring Analytics, LLC Rule 30(b)(6) Deposition Topics

1. The factual basis for your oral referral of Coaltrain's alleged manipulative transactions to FERC described in the Referral.
2. The factual basis for your January 6, 2011 Referral of Coaltrain's alleged manipulative transactions to FERC, as well as the bases for your referrals and non-referrals of other

market participants related to UTC trading during the period from June 1, 2010 to September 30, 2010.

3. Your investigation of Coaltrain's market behavior.
4. Your communications with PJM regarding Coaltrain after January 1, 2010.
5. Your communications with PJM regarding UTC trading during the period from June 1, 2010 to September 30, 2010.
6. Your communications with FERC or any other third party regarding Coaltrain after January 1, 2010.
7. Your communications with FERC or any other third party regarding UTC trading during the period from June 1, 2010 to September 30, 2010.
8. Your communications with Coaltrain and Coaltrain personnel after January 1, 2010, including your July and August 2010 telephone calls with Peter Jones and/or Shawn Sheehan.
9. All studies, simulations, or other calculations performed by you regarding MLSA payments related to Coaltrain's market activity after January 1, 2010.
10. The purpose of UTC trading in PJM prior to September 17, 2010, including your August 12, 2010 report entitled, "Impacts of Proposed Solutions to Manipulation Arising from the Allocation of Marginal Loss Surplus" and related discussions about that report.
11. PJM's tariff and market rules prior to September 17, 2010.
12. Your 2009 State of the Market Report, including the price divergences between SouthImp and SouthExp.

EXHIBIT B

INSTRUCTIONS AND SPECIFICATIONS

The following General Instructions and Specifications apply to each request:

- 1) In response to each request, provide information available from corporate and individual files. If any an affiliate, subsidiary, contractor, or agent acts on Your behalf or provides any support, technical or ancillary service relevant to the request, Your response shall include the information from the other party and indicate the source of the information.
- 2) Responses shall indicate which documents relate to which request.
- 3) If You object to the production of any material responsive to any of the requests on the ground of privilege or protection (such as attorney-client privilege or the attorney work product doctrine), You shall provide a detailed log containing the following information for each communication or document:
 - i) Identification of the nature of the privilege asserted;
 - ii) The type of communication or document;
 - iii) The subject matter of the communication or document;
 - iv) The date of the communication or document;
 - v) The author(s) or person(s) present and their title or position;
 - vi) The recipient(s) or person(s) present and their title or position;
 - vii) All other individuals who received or were present for the communication or document or had access to the item or document and their title or position;
 - viii) The purpose for which the communication or document was created;
 - ix) A detailed, specific explanation as to why the communication or document (or portion thereof) is privileged or otherwise immune from discovery, including a presentation of all factual grounds and legal analyses in a non-conclusory fashion; and
 - x) The number of pages in the document.

NOTE: If You claim the attorney-client privilege, the log shall also indicate whether the communication claimed to be privileged was made by the attorney or the client, and whether the communication or document has been communicated to any person other than the attorney and client involved. If the communication claimed to be privileged has been so communicated, identify such third person(s) by name and relationship to the client and the attorney, and indicate the date of such communication. Please produce the non-privileged portion(s) of the document or information, if the privileged portion of the document or information is capable of being excised, so that the remainder is no longer privileged.

- 4) If any document responsive to any request has been lost, discarded, destroyed, or is unavailable, state when, and explain why, such document was lost, destroyed, discarded, or is unavailable. Provide the names of all persons who have knowledge of the loss,

destruction, or disposal of the document. If You claim that the destruction occurred pursuant to a document destruction program, please identify and produce a copy of the guideline, policy or manual describing such program, and any correspondence or communication relating to the destruction.

- 5) If any documents responsive to any request are in existence but not in Your custody, possession or control, identify each such document and provide its present location and custodian.
- 6) The terms “and” and “or” shall be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of each request any information or document that might otherwise be considered to be beyond its scope. “All” and “any” shall each be construed as encompassing any and all.
- 7) The singular form of a word shall be interpreted as plural, and the plural form of a word shall be interpreted as singular, whenever appropriate, in order to bring within the scope of each request any information or document which might otherwise be considered to be beyond its scope.
- 8) If you believe that there are no documents responsive to a particular Request, please state “None.”
- 9) Please provide document request responses in electronic format, including scanned images of any responsive documents existing solely in hard copy. The detailed specifications for electronic document production are set forth below.
- 10) Please provide each document with a unique identifier, such as “Bates” labels.
- 11) Please provide electronic responses as follows: Microsoft Word for narratives, Excel for data, and Outlook “.MSG” file format for emails.
- 12) Please provide responsive documents in accordance with the following Technical Specifications:
 - i) All documents provided shall be scanned and delivered as single page, 1 bit, group 4 TIFF images with an accompanying cross reference load file in a Concordance Image “.OPT” format. Color images will be delivered as single page JPEG images. Along with the cross reference file to the images, the parties will provide the following coded data in a delimited text file:

Description	Field Name
First Page Bates Number	Begin Bates
Last Page Bates Number	End Bates
Attachment Start (First Page Bates Number of parent document)	Begin Attach
Attachment End (Last Page Bates Number of last attached document)	End Attach
Parent ID (Only populate for Child Documents. Document ID of Parent Document)	Parent Document ID
The Subject of the file extracted from the properties of the native file	Document Subject

Description that represents the file type to the Windows Operating System. Examples are: Adobe Portable Document Format, Microsoft Word 2003 Document, Microsoft Office Word Open XML Format...etc	File Type
The original file name	File Name
Three (or more) character extension of the document that represents the file type to the Windows Operating System. Examples are PDF, DOC, or DOCX.	Document Extension
The author(s) of the document	Author
Author of an Email	From
Custodian	Custodian
All Custodians associated with a file	All Custodians
The email thread created by the email system. This is a 44-character string of numbers and letters that is created in the initial email. It has 10 characters added for each reply or forward of an email.	Conversation Index
The title of the document	Document Title
The date of the communication or document (MM/DD/YYYY)	Document Date
The recipient(s)	Recipient
Any other recipient(s)	CC
“Blind” copied recipients	BCC
Subject line of the Email	Subject
Document Hash Value (MD5/SHA1/SHA256 – Please specify which one you are delivering)	[specify type] Hash
The date and time the email was sent (MM/DD/YYYY HH:MM:SS)	Sent Date
The date and time the IM was initiated (MM/DD/YYYY HH:MM:SS)	IM Date
Who the IM was with	IM With
Original path to the document on the computer, or network, where the document was saved	Folder Path
Path to Native File as delivered	Native File
Response to Data Request Number	Response to Request Number
Path to OCR text files as delivered	Text Path

ii) Dates should be valid calendar dates and not “zero” dates.

iii) For the delimited text files in the above instructions, the field names shall be listed on the first line and the following delimiters shall be used:

“|” (ASCII 20) Field Separator

“p” (ASCII 254) Text Delimiter

“®” (ASCII 174) New Line Character within a field

“;” (ASCII 59) Multi Entry Delimiter

- iv) For each record, the parties will provide the OCR text in a single text file with the path to the text file provided in the “Text Path” field listed in the table above.
- v) Please provide audio recordings in “.wav” or “.mp3” formats.
- vi) For all audio recordings, please provide a tab-delimited text file with at least the following fields: (i) audio file name; (ii) person calling; (iii) date of call; (iv) time of call; (v) duration of call; (vi) line recorded; (vii) person or number called; and (viii) any other meta-data or bibliographical information associated with call records that is maintained in the ordinary course of business.

REQUESTS FOR PRODUCTION

1. All Documents relating to or referring to the Investigation or the Referral.
2. All Communications with third parties relating to or referring to the Investigation or the Referral.