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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**FOR THE COUNTY OF LOS ANGELES**

JEREMY GURSEY, Individually

Plaintiff,

vs.

SOUTHERN CALIFORNIA EDISON  
COMPANY, a California Corporation; and  
DOES 1 through 100, inclusive,

Defendants.

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LEAD CASE NO: 25STCV00731

Assigned for all purposes to:  
Judge: Hon. Laura A. Seigle  
Dept.: 17

**~~PROPOSED~~ ORDER FOR ENTRY OF  
ESI DISCOVERY PROTOCOL**

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1 Subject to the exceptions noted below, the procedures and protocols outlined herein  
2 govern the production of electronically stored information (“ESI”) and paper documents by the  
3 Parties during the pendency of this litigation. The production formats for any other materials  
4 will be addressed by the parties after a meet and confer regarding the specific item or category of  
5 items.

6 **A. Definitions**

7 1. **“Requesting Party”** means and refers to the Party that serves a request for the  
8 production of documents.

9 2. **“Producing Party”** means and refers to the Party upon whom a request for the  
10 production of documents is served.

11 3. **“Document”** or **“Documents”** means a writing as defined by Cal. Evid. Code §  
12 250 and includes handwriting, typewriting, printing, photostating, photographing, photocopying,  
13 transmitting by electronic mail or facsimile, and every other means of recording upon any  
14 tangible thing, any form of communication or representation, including letters, words, pictures,  
15 sounds or symbols, or combinations thereof, and any record created thereby, regardless of the  
16 manner in which the record has been stored, and also specifically includes any “electronically  
17 stored information.”

18 4. **“Electronically stored information”** or **“ESI,”** as used herein has the same  
19 meaning as in Cal. Civ. Pro. § 2016.020.

20 5. **“Hard-Copy Document”** means Documents existing in paper form at the time of  
21 collection.

22 6. **“Native Format”** means and refers to the format of ESI in which it was generated  
23 and/or as used by the Producing Party in the usual course of its business and in its regularly  
24 conducted activities. For example, the native format of an Excel workbook is a .xls or .xlsx file.

25 7. **“Metadata”** means: (i) information embedded in or associated with a native file  
26 that is not ordinarily viewable or printable from the application that generated, edited, or  
27 modified such native file which describes the characteristics, origins, usage, and/or validity of  
28 the electronic file; (ii) information generated automatically by the operation of a computer or

1 other information technology system when a native file is created, modified, transmitted, deleted,  
2 or otherwise manipulated by a user of such system, (iii) information, such as Bates numbers,  
3 created during the course of processing documents or ESI for production, and (iv) information  
4 collected during the course of collecting documents or ESI, such as the name of the media device  
5 on which it was stored, or the custodian or non-custodial data source from which it was  
6 collected.

7 8. **“Media”** means an object or device, real or virtual, including but not limited to a  
8 disc, tape, computer, or other device on which data is or was stored.

9 9. **“Optical Character Recognition”** or **“OCR”** means the process of recognizing  
10 and creating a file containing visible text within an image.

11 10. **“Hash Value”** is a unique numerical identifier that can be assigned to a file, a  
12 group of files or a portion of a file based on a standard mathematical algorithm applied to the  
13 characteristics of the data set. The most commonly used algorithms, known as MD5 and SHA,  
14 will generate numerical values so distinctive that the chance that any two data sets will have the  
15 same Hash Value, no matter how similar they appear, is less than one in one billion. “Hashing”  
16 is used to guarantee the authenticity of an original data set and can be used as a digital equivalent  
17 of the Bates stamp used in Hard-Copy Document productions.

18 11. **“Confidentiality Designation”** means the legend affixed to Documents as  
19 Confidential as defined by, and subject to, the terms of the Stipulated Protective Order dated  
20 March 14, 2025 (“Protective Order”) entered in this matter.

21 12. **“Searchable Text”** means the native text extracted from an Electronic Document  
22 and any Optical Character Recognition text (**“OCR text”**) generated from a Hard-Copy  
23 Document or electronic image.

24 13. **“Load files”** means electronic files provided with a production set of documents  
25 and images used to load that production set into a receiving party’s document review platform  
26 and correlate its data within that platform.

27 14. **“And”** and **“or”** shall be construed conjunctively or disjunctively as necessary to  
28 make their use inclusive rather than exclusive, e.g., **“and”** shall be construed to mean **“and/or”**.

1           15.     **“Include”** and **“Including”** shall be construed to mean “include but not be limited  
2 to” and “including but not limited to”.

3           16.     Reference to the singular shall also be deemed to refer to the plural, and vice-  
4 versa.

5 **B.     Format for Production of Liability Documents by Parties**

6           Notices of document production will be posted via Case Anywhere to counsel only.  
7 Document productions will not be delivered via Case Anywhere, and instead will be produced in  
8 electronic format by providing a copy of said documents on Dropbox, or by secure  
9 FTP/Sharefile, or other accepted means of digital transmission. Document productions must be  
10 provided to Fire Litigation Consulting at [greg@firelitigationconsulting.com](mailto:greg@firelitigationconsulting.com), as well as to  
11 counsel.

12 **C.     Production of Hard-Copy Documents**

13           1.     All Hard-Copy Documents will be scanned and produced in electronic form.  
14 Hard-Copy Documents in color will be scanned in color to ensure full information is  
15 communicated in the scanned copy. Documents are to be scanned as they are kept in the ordinary  
16 course of business and produced as Bates-stamped TIFF images, with applicable metadata, and  
17 OCR’ed searchable text.

18           2.     Unitization of Hard-Copy Documents: To the extent practicable, Hard-Copy  
19 Documents shall be produced in the manner in which those Documents were kept in the ordinary  
20 course of business (i.e., distinct documents should not be merged into a single record, and a  
21 single document should not be split into multiple records), maintain document relationships (i.e.,  
22 attachment status), and produce Hard Copy Documents with information that identifies the folder  
23 (or container) structure, to the extent such structure exists. Original document orientation (i.e.,  
24 portrait v. landscape) should be maintained.

25           3.     Identification: Where a Document or group of Documents has an identification  
26 spine, “post-it note” or any other label, the information on the label shall be scanned and  
27 produced to the extent practicable. For documents in folders or other containers with labels, tabs,  
28 or other identifying information, such labels and tabs shall be scanned where reasonably

1 practicable.

2 4. Custodian Identification: The parties will utilize reasonable best efforts to ensure  
3 that paper records for a particular custodian, which are included in a single production, are  
4 produced in consecutive Bates stamp order.

5 5. Metadata: The metadata associated with each Hard-Copy Document need only  
6 identify the Bates number, the custodian associated with that Hard-Copy Document,  
7 REDACTION (field to identify whether the file was redacted), Redaction Reason (Basis of  
8 redaction; if more than one, separate reasons by semi-colons), HASH (MD5 Hash Value),  
9 ProdVol (Production Volume), PageCount, ItemType and any Confidential Designation applied  
10 to that Document, as well as Attachment Status and folder structure, per Section (C)(2) above.

11 **D. Preservation**

12 1. California law and/or further orders of the Court shall apply to the preservation of  
13 ESI. Nothing in this Order should be interpreted as adding to, replacing, inconsistent with or  
14 contrary to California law or any further order of this Court regarding the preservation of ESI.

15 **E. Identification of Responsive ESI**

16 1. Prior to production, a Producing Party shall notify the Requesting Party of the  
17 chosen methods for searching for materials responsive to discovery requests requiring an  
18 electronic search of sources of custodial and non-custodial information (the “ESI Requests”).

19 a. Search Terms. A Party who intends to use search terms will describe a  
20 Search Protocol that will include: (a) the criteria to be used to identify the universe of documents  
21 to which search terms will be applied (e.g., date range), and (b) the proposed search terms to be  
22 applied to that universe of documents. Prior to implementing proposed search terms, the  
23 Producing Party shall provide the Requesting Party with a list of proposed search terms as well  
24 as search term hit reports, including unique hit counts<sup>1</sup> for each search term or string as well as  
25 the total population of documents, with families, for that specific hit report for proposed search  
26 terms. For any discovery requests served after the entry of this order, all search criteria, search  
27

28 <sup>1</sup> Public Entity Plaintiffs represent that they are unable to provide unique hit counts.

1 terms and hit reports shall be provided within 30 calendar days of the service of the response to  
2 any such discovery request.

3           b. Any Search Protocol shall include a requirement to review a random set of  
4 2,000 distinct documents that do not hit on the search terms (the “Null Set”). The Producing  
5 Party will produce all responsive, non-privileged documents from the Null Set.<sup>2</sup> However, a  
6 Null Set may not be appropriate for targeted searches, documents requested in connection with  
7 depositions, and other one-off searches outside of a comprehensive Search Protocol described  
8 above.

9           c. Following receipt of the proposed search criteria, search terms, and hit  
10 reports/Null Set, as applicable, the Requesting Party will have the opportunity to request a  
11 reasonable number of additional search terms to be run. Such requests must be made within 14  
12 calendar days of receiving the proposed search criteria, search terms, and hit reports/Null Set as  
13 applicable. If the Producing Party contends that terms proposed by the Requesting Party would  
14 recall an excessive number of documents, the Producing Party shall provide a search term hit list  
15 or hit report within 14 calendar days of receipt of the Requesting Party’s proposed additional  
16 search terms, and the search term hit list or hit report provided by the Producing Party shall  
17 include: (1) the number of documents that hit on each term; (2) the number of unique documents  
18 that hit on each term (documents that hit on a particular term and no other on the list); and (3) the  
19 total number of documents that would be returned by using the proposed search term list  
20 (including families). The Parties agree to timely meet and confer regarding the Search Protocol  
21 and to raise any disputes regarding the Search Protocol for resolution by the Court. The  
22 Producing Party does not waive any applicable privilege or work product protections by  
23 describing its Search Protocol or other means used to identify, gather or review documents. If the  
24 Requesting Party objects to such an approach, the parties will timely meet and confer regarding  
25 the matter and submit any unresolved disputes to the Court for resolution. The Parties agree to  
26 meet and confer regarding the Search Protocol and any search terms to be utilized and to raise  
27

28 <sup>2</sup> Public Entity Plaintiffs are exempt from the requirement to review and produce a Null Set.

1 any disputes regarding the Search Protocol for resolution by the Court.

2 d. **TAR.** If a Producing Party intends to use TAR, the Producing Party will  
3 notify the Requesting Party and then meet and confer with the Requesting Party about a separate  
4 TAR Protocol, which Tar Protocol shall include the following: (a) the TAR system to be used;  
5 (b) the criteria to be used to the identify the universe of documents to which TAR is to be applied  
6 (the “TAR Universe”); (c) whether search terms are proposed to be utilized in combination with  
7 TAR in any respect; (d) its methodology for training the TAR model and identifying responsive  
8 documents; (e) the methodology for validation testing to be used; (f) the subject-matter expert  
9 who will oversee the implementation of the TAR protocol; (g) the process by which documents  
10 excluded as not conducive to categorizations (e.g. multi-media files, primarily numerical  
11 spreadsheets, database files) will be reviewed for production; and (h) the size and procedure for  
12 analysis of the Null Set. The Parties shall timely meet and confer regarding any disputes  
13 regarding the TAR protocol, and submit any unresolved disputes to the Court for resolution.

14 **F. Production of Electronically Stored Information (“ESI”)**

15 The parties agree to produce Documents in accordance with the standards described  
16 below. If any Party contends that Documents warrant a different format, the Parties will meet  
17 and confer to determine mutually acceptable procedures.

18 1. **Metadata Fields and Processing:**

19 a. ESI shall be processed in a manner that preserves the source native file  
20 and all metadata without modification, including their existing time, date, and time-zone  
21 metadata consistent with the requirements set forth in this Order. The parties will make best  
22 efforts to preserve metadata; the Producing Party will meet and confer with the Requesting Party  
23 as to specific instances where the Requesting Party seeks additional metadata.

24 b. Auto date/time stamps: ESI shall be processed so as to preserve and  
25 display the date/time shown in the Document as it was last saved or modified by the custodian or  
26 end user, not the date of collection or processing. If this is not technically possible, the Producing  
27 Party shall use its reasonable best efforts to display the field code in the Document.

28 c. Hidden text: ESI shall be processed, to the extent practicable, in a manner

that preserves hidden columns or rows, hidden text or worksheets, speaker notes, tracked changes and comments.

d. ESI items shall be produced with all of the metadata and coding fields set forth in subpart e. below to the extent that information is available.

e. With the exception of Custodians<sup>3</sup>, this Order does not create any obligation to create or manually code fields that are not automatically generated by the processing of ESI, or that do not exist as the past of the original metadata of the Document; provided, however, that the Producing Party must populate, where possible, the following:

FIELD NAME	FIELD DESCRIPTION	APPLICABLE FILE TYPE(S)
BEGBATES	Beginning production number for a given file/document	Email, E-Doc and Other <sup>4</sup>
ENDBATES	Ending production number for a given file/document	Email, E-Doc and Other
PGCOUNT	Number of pages in the document	Email, E-Doc and Other
BEGATTACH	Production number of first page of parent	Email, E-Doc and Other
ENDATTACH	Production number of last page of last attachment	Email, E-Doc and Other

<sup>3</sup> To the extent not automatically generated, code fields for Custodians shall nonetheless be manually populated for all documents even if the document is produced from a non-custodial source.

<sup>4</sup> Other is defined as documents for which internal metadata is not exchanged, including but not limited to, scanned documents and documents obtained from the internet.

FIELD NAME	FIELD DESCRIPTION	APPLICABLE FILE TYPE(S)
CUSTODIAN	Name of person, shared file or other source from whom files were collected. <i>Where redundant names occur, individuals should be distinguished by an initial which is kept constant throughout productions (e.g., Smith, John A. and Smith, John B.)</i>	Email, E-Doc and Other
DUPLICATE CUSTODIAN	To identify other custodians whose files contained a particular document that was eliminated through exact match HASH value de-duplication	Email, E-Doc and Other
DUPLICATE FILEPATH	Folder locations of documents held by other custodians whose copy of the document was not produced based on exact match HASH value de-duplication. Folder names shall be delimited by semicolons.	Email, E-Doc and Other
EXTENSION	File extension	Email and E-Doc
HASH	MD5 Hash Value	E-mail, E-Doc and Other
ATTACHNAME	The file name(s) of attachments to a parent document (separated by a semicolon)	Email and E-Doc
EMAILSUBJECT	Email Subject line	E-mail
FROM	Email Sender	E-mail
TO	Email Recipient	E-mail

<b>FIELD NAME</b>	<b>FIELD DESCRIPTION</b>	<b>APPLICABLE FILE TYPE(S)</b>
CC	Email Copyee	E-mail
BCC	Email Blind Copyee	E-mail
DATESENT	Date Sent & Time (MM/DD/YYYY HH:MM)	E-mail
DATERECEIVED	Date Received & Time (MM/DD/YYYY HH:MM)	E-mail
DATELASTMOD	Date modified & Time (MM/DD/YYYY HH:MM)	E-Doc
DATECREATED	Date created & Time (MM/DD/YYYY HH:MM)	E-Doc
TITLE	Any value populated in the Title field of the document properties	E-Doc
SUBJECT	Any value populated in the Subject field of the document properties	E-Doc
AUTHOR	Any value populated in the Author field of the document properties	E-Doc
LASTMODIFIEDBY	Any value populated in the last modified by field of the document properties	E-Doc

FIELD NAME	FIELD DESCRIPTION	APPLICABLE FILE TYPE(S)
DOCUMENT TYPE	Descriptor for the type of document: <b>“E-document”</b> for electronic documents not attached to e-mails; <b>“E-mail”</b> for all e-mails; <b>“E-attachment”</b> for files that were attachments to e-mails; and <b>“Physical”</b> for Hard-Copy physical documents that have been scanned and converted to an electronic	E-mail, E-Doc and Other
REDACTION	Identifies whether the file was redacted and the redaction type	E-mail,E-Doc and Other
REDACTIONREASON	Basis of redaction. If more than one, separate reasons by semi-colons	E-mail, E-Doc and Other
CONFIDENTIALITY	Identifies whether the file is designated CONFIDENTIAL; CONFIDENTIAL-ATTORNEYS’ EYES ONLY; or CONFIDENTIAL-ATTORNEYS’ EYES ONLY-CRITICAL ENERGY/ELECTRIC INFRASTRUCTURE INFORMATION (CEII)	E-mail, E-Doc and Other
FILENAME	Original file name at the point of collection	E-Doc
Folder	Original file path to the file or e-mailbox folder structure	E-mail and E-Doc
NATIVEFILE	Path to native file as produced	Native

<b>FIELD NAME</b>	<b>FIELD DESCRIPTION</b>	<b>APPLICABLE FILE TYPE(S)</b>
TEXTPATH	Path to OCR or extracted text file	E-mail, E-Doc and Other
FILESIZE	Filesize	E-mail, E-Doc and Other
FILEPATH	Original file/path of the location where the item was located at the time of collection. This should include location, file name, and file extension. Any container name should be included in the path.	E-Doc
MSGID	Email system identifier assigned by the host email system. This value is extracted from parent message during processing	E-mail
PARENTMSGID	Where the item is an email which is a REPLY or FORWARD, the MSGID of the original email which was REPLIED to or FORWARDED	E-mail
LASTMODDATE	Last Modified Date (MM/DD/YYYY HH:MM)	E-document
Importance	Indicates priority of email	E-mail
Has Embedded Files	Indicates embedded files were included in email	E-mail
ProdVol	Name of production that data was produced as a part of.	E-mail, E-Doc and Other
TimeZoneField	Timezone of data at time of Ingestion	E-mail, E-Doc and Other

<b>FIELD NAME</b>	<b>FIELD DESCRIPTION</b>	<b>APPLICABLE FILE TYPE(S)</b>
AllCustodians	List of all custodians associated with document, i.e., “Custodian” + “Other Custodian” values delimited by semi-colon.	E-mail, E-Doc and Other
ParentDate	DOCDATE of the parent item	E-mail, E-Doc and Other
Exceptions	Y for documents that were processing or extractions exceptions, blank/null if not present	E-mail, E-Doc and Other
Exif Date/Time	Date/Time of image or video	Photographs/Video
Exif Make	Manufacturer of phone, camera or camcorder	Photographs/Video
Exif Model	Model name or number of phone, camera or camcorder	Photographs/Video
Exif Orientation	Orientation of image or video	Photographs/Video
Exif Date/Time Digitized	Date and time when the image was stored as digital data	Photographs/Video
Exif Date/Time Original	Date and time when the original image data was generated	Photographs/Video
Exif Image Height	Height of the image	Photographs/Video
Exif Image Width	Width of the image	Photographs/Video
Exif Flash	Status of flash	Photographs/Video
Exif Lens Make	Manufacturer of lens used to capture image or video	Photographs/Video

<b>FIELD NAME</b>	<b>FIELD DESCRIPTION</b>	<b>APPLICABLE FILE TYPE(S)</b>
Exif Lens Model	Model name or number of lens used to capture image or video	Photographs/Video
GPS Altitude	GEOMETRIC altitude/height of image or video	Photographs/Video
GPS Altitude Ref	References height in terms of AMSL or sea level	Photographs/Video
GPS Dest Bearing	Compass direction from current position to intended destination	Photographs/Video
GPS Img Direction	Direction of image when captured	Photographs/Video
GPS Latitude	Precise geographic location of the angular distance of a place north or south on the earth's equator	Photographs/Video
GPS Latitude Ref	Indicates whether the latitude is north or south	Photographs/Video
GPS Longitude	Precise geographic location of the angular distance of a place east or west of the meridian at Greenwich, England, or west of the standard meridian of a celestial object, usually expressed in degrees and minutes	Photographs/Video
GPS Longitude Ref	Indicates whether the longitude is east or west	Photographs/Video
GPS Speed	Speed of distance traveled	Photographs/Video
GPS Speed Ref	Kilometers or miles per hour	Photographs/Video

FIELD NAME	FIELD DESCRIPTION	APPLICABLE FILE TYPE(S)
Image Orientation	Orientation of image	Photographs/Video
File Accessed	Date/Time file was opened for reading and writing	Photographs/Video
File Created	Date/Time file was created and saved for the first time	Photographs/Video
File Modified	Date/Time contents of file were changed	Photographs/Video
GPS Date Stamp	GEOMETRIC capture of date of image or video	Photographs/Video
GPS Time-Stamp	GEOMETRIC capture of time of image or video	Photographs/Video
Document Request(s)	RFP number(s) to which the document is responsive pursuant to C.C.P § 2031.280(a). <sup>5</sup>	E-mail, E-Doc and Other

f. The Parties shall make a good faith effort to populate fields for all produced ESI.

g. Date Fields Time Zone. All documents shall be processed so as to show fielded dates and times in Pacific Time Zone, when feasible.

h. Hyperlinked Files. A Producing Party is not required to produce hyperlinked files as part of the same Document Family as the Document containing the hyperlink; provided however, that upon reasonable and particularized request for such files that the Requesting Party cannot reasonably locate in a production after good faith efforts, a Producing Party will undertake a reasonable effort to search for such files and, if it is able to

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<sup>5</sup> The Producing Party reserves the right to provide this information in an overlay to any documents subsequent to their production. Such overlay shall be provided on a rolling basis, but no later than 45 days after each document production.

1 identify them upon such effort, produce such files.

2 i. System Files/Application Executable Files. Each party will use reasonable  
3 efforts to filter out common system files and application executable files. Non-user generated  
4 files may be removed from review and production using the list of non-user generated files  
5 maintained by the National Institute of Standards and Technology (NIST). Additional culling of  
6 system files based on file extension may include, but are not limited to: Thumbnail Database  
7 Files (thumbs.db), WINNT, LOGS, DRVS, C++ Program File (c), C++ Builder 6 (cpp), Channel  
8 Definition Format (cdf), Creatures Object Sources (cos), Dictionary file (dic), Executable (exe),  
9 Hypertext Cascading Style Sheet (css), JavaScript Source Code (js), Label Pro Data File (IPD),  
10 Office Data File (NICK), Office Profile Settings (ops), Outlook Rules Wizard File (rwz), Scrap  
11 Object, System File (dll), temporary files (tmp), Windows Error Dump (dmp), Windows Media  
12 Player Skin Package (wmz), Windows NT/2000 Event View Log file (evt), Python Script files  
13 (.py, .pyc, .pud, .pyw), and Program Installers. Parties need not produce nonhuman readable  
14 documents, except upon a showing of good cause by the Requesting Party.

15 j. Documents that the Producing Party can reasonably identify as containing  
16 color shall be produced in color, as JPG images with JPG compression and a high quality setting  
17 as to not degrade the original image. The Producing Party shall take reasonable steps to maintain  
18 the legibility and fidelity of all color elements during processing and production.

## 19 2. Image Format

20 The parties agree that ESI shall be produced as TIFF images with an accompanying data  
21 load file which contains the ESI metadata listed in Section F.1.e. All TIFFS produced by any  
22 party will be single page Group IV TIFF format, 300 dpi quality of better. Image files must show  
23 all text and graphics available to the reader using the native software that created the document.  
24 All Documents or data must be imaged to display readily available hidden content, tracked  
25 changes or edits, comments, notes, and other similar information viewable in the native file.  
26 Documents that the Producing Party can reasonably identify as containing color shall be  
27 produced in color, as JPG images with JPG compression and a high-quality setting as to not  
28 degrade the original image. If an image contains color or grayscale elements, it shall be produced

1 in a manner to avoid loss of visual detail. No automatic dithering or downsampling shall be  
2 applied that degrades image quality. If conversion to black and white is required, methods  
3 preserving clarity and contrast shall be used.

4 a. Insured Designated Material: It is anticipated that Subrogation Plaintiffs  
5 will produce their insureds' claim file to pursuant to the terms of a Case Management Order  
6 entered by the Court. Claim files that are produced to defendants may be produced in PDF  
7 Format subject to redactions for attorney-client privilege, privacy, bank account numbers, social  
8 security numbers, business financial information and other sensitive records and will be treated  
9 as though they are marked "CONFIDENTIAL" in accordance with Section P.

10 **3. Production of Native Files**

11 a. Presentation-application files (e.g., MS PowerPoint), spreadsheet-  
12 application files (e.g. MS Excel and CSV), GIS Related Files (ARCGIS: SHP, SHX, DBF, PRJ,  
13 XML, DBF.XML, GDBINDEXES, GDBTABLX, GDBTABLE, GDBTABLX), Google Earth  
14 (KML, KMZ, GPX), GEOTIFF (TIFF), XML, CAD (DWG, DWF), Event Files (CEV, EVT,  
15 RDP), Database (DBF, MDB), Executable (EXE), Layered PDF (PDF), pictures (e.g., jpg, jpeg,  
16 heic, png, gif, bmp), Visio (VSD, VSDX), and multimedia audio/visual files such as voice and  
17 video recording (e.g., .mp3, .wav, AAC, .mp4, .MOV, .MTS, MPG, .mpeg, FLV, and .avi) for  
18 which all ESI items shall be produced in native format. In addition to producing the above file  
19 types in native format, the production party shall produce single page TIFF slip-sheet or PDF  
20 indicating that a native item was produced. These placeholders will be Bates numbered in the  
21 same way as any other TIFF or PDF, and the Bates number of that single page shall be used as  
22 the BegBates and EndBates of the associated document. Native Files shall have a file name that  
23 includes the Bates number and any Confidentiality Designation. The corresponding load file  
24 shall include NativeFileLink information for each native file that is produced. Further, the parties  
25 agree to meet and confer prior to producing native file types other than those listed earlier in this  
26 section.

27 b. The parties agree to meet and confer regarding the production of  
28 enterprise data-application files (e.g., SQL and SAP) to determine the most reasonable format of

1 production based on the specific circumstances.

2           4.       **Request for Other Native Files:** A receiving party may request that the  
3 Producing Party produce the native file corresponding to a static image, for good cause shown  
4 and subject to reasonable objection by the Producing Party. The request for production of any  
5 specific native file(s) shall include Bates numbers of the document(s) to identify the  
6 corresponding native file.

7 **G.       Redaction:**

8           1.       The Parties may redact information that is (1) privileged or protected from  
9 discovery as work product or by reason of any other applicable privilege or immunity; (2)  
10 protected personal information (e.g., credit card numbers, account passwords, SSNs) subject to  
11 non-disclosure obligations imposed by governmental authorities, law or regulation; (3) irrelevant  
12 highly sensitive information (e.g. Board materials); or (4) as otherwise agreed to or allowed by  
13 any protective order entered in this litigation. Any redaction made for relevance of highly  
14 sensitive information (e.g. Board materials) shall be identified in the redaction itself and  
15 metadata as redacted for relevance.<sup>6</sup>

16           2.       The parties agree that where ESI items need to be redacted, they shall be  
17 produced solely in TIFF or JPG format with each redaction clearly indicated. Any unaffected  
18 metadata fields specified in Section F.1.e. shall be provided. For redacted documents that were  
19 originally ESI, all metadata fields will be provided, except for metadata fields that were redacted.  
20 Redacted documents shall be identified as such in the load file provided with the production.

21           3.       If the items redacted and partially withheld from production are PowerPoint-type  
22 presentation decks or Excel-type spreadsheets as addressed in Section F.2.a. and the native items  
23 are also withheld, the entire ESI item must be produced in TIFF or JPG format, including  
24 unprivileged pages, hidden fields and other information that does not print when opened as last  
25 saved by the custodian or end-user. For Excel and PowerPoint type files, the following printing  
26 options shall be enabled:

27 \_\_\_\_\_  
28 <sup>6</sup> Nothing in this provision constitutes a waiver by the parties of any redaction or challenge to any  
such redaction on the basis of relevance.

Excel Print to TIFF or PDF Options

- Unhide columns and rows
- Unhide worksheets
- Autofit columns and rows
- Print gridlines
- Display headings
- Display comments

PowerPoint Print to TIFF or PDF Options

- Print notes pages.

a. The Producing Party shall also make reasonable efforts to ensure that any spreadsheets produced only as TIFF images or PDF are formatted so as to be legible. If the items redacted and partially withheld from production are audio/visual files, the Producing Party shall provide the unredacted portions of the content.

**H. Structured Data**

For requests in which responsive information is contained in a database or other structured or aggregated data source or otherwise maintained by an application, the Producing Party will identify a reasonable method and format for production. Structured data tends to be data in or exported from a database and has the following characteristics:

- Logical entities decomposed into data elements (known as fields or records) at a highly granular level;
- Individual data elements are stored in specific assigned logical and physical areas within a series of files (or a single fielded table or a text delimited file);
- These data elements are linked to each other by internal mechanisms, interpretable by the database software;
- These links or relationships may involve metadata elements stored within the database, in addition to the data elements of the logical entity; and
- Once properly assembled and formatted (e.g., in the form of a report), structured data is often readily understandable.

• Common structured data sources include but are not limited to document management systems (DMS), record management systems (RMS), content management systems (CMS), SAP systems, Vegetation Management Systems.

• The parties agree to meet and confer regarding the production of structured data to determine the most reasonable form of production based on the specific circumstances. Common structured data production formats include: XLSX or CSV delimited text file.

#### **I. Embedded Objects**

OLE embedded objects (embedded MS Office files, etc.) shall be extracted as separate files and treated as attachments to the parent document. Images embedded in emails will also be extracted and produced separately.<sup>7</sup> For clarity, nothing in this paragraph is intended to modify Section F(1)(h) regarding hyperlinked documents.

#### **J. De-Duplication**

A Producing Party may remove documents identified as duplicative based on MD5 or SHA-1 hash values at the family level across custodians and sources. Near-duplicate documents shall be produced rather than removed (e.g., any documents containing red-lined changes or comment fields). The Parties further agree that an email that includes content in the “BCC” or other blind copy field shall not be treated as a duplicate of any otherwise identical email that does not include content in the “BCC” or other blind copy field. The custodian associated with the first copy of a document will be considered the “pivot” custodian for that document (the custodian will be used as the basis for determining which other collected documents are duplicates). With each production, the Producing Party shall produce a metadata overlay for all produced documents for which duplicate documents were removed containing an “All Custodians” metadata field along with the DUPLICATE FILEPATH field listing the custodians or sources that possessed a duplicate document that was removed and where that duplicate file was stored.

---

<sup>7</sup> Public Entity Plaintiffs are exempt from the requirement to extract and separately produce images embedded in emails.

1 **K. Email Threading**

2 The parties are permitted to produce the longest unique email chain and the parties do not  
3 need to separately produce the lesser-included emails unless those lesser-included emails have  
4 bcc recipients or unique attachments not included in the longest chain. If a lesser-included email  
5 has a bcc recipient or unique attachment, then the lesser-included email must be separately  
6 produced with the attachments.

7 **L. De-NISTing**

8 Non-user generated files may be removed from review and production using the list of  
9 non-user generated files maintained by the National Institute of Standards and Technology  
10 (NIST).

11 **M. Identification of Document Requests**

12 Pursuant to California CCP § 2031.280, the Producing Party shall organize and label all  
13 produced documents to correspond with the specific categories in the Requesting Party's  
14 document demands. Each document or group of documents shall be explicitly identified with the  
15 request number(s) to which it is responsive in the load file or overlay provided by the Producing  
16 Party.

17 **N. Exception Files**

18 The Parties will use commercially reasonable efforts to address Documents that present  
19 imaging or form production problems (including encrypted and/or protected files identified  
20 during the processing of ESI) ("Exception Files"). Exception Files identified for production will  
21 be produced as a Bates-stamped placeholder TIFF bearing the legend, "This document was  
22 unable to be processed", and this legend will also appear in the OCR/Text files for such  
23 documents. The parties will meet and confer regarding requests for the production of the native  
24 versions of Exception Files. The Producing Party will undertake reasonable efforts to attempt to  
25 make encrypted or password-protected files available. If the Parties cannot reach agreement on  
26 the handling of Exception Files through the meet and confer process, the matter may be  
27 submitted to the Court for resolution.  
28

1 **O. Lost, Destroyed or Irretrievable ESI**

2 If a Producing Party learns that responsive ESI that once existed was lost, destroyed, or is  
3 no longer retrievable as a result of acts or circumstances not occurring in the ordinary course of  
4 business, the Producing Party shall comply with its obligations under the Code of Civil  
5 Procedure to explain where and when the responsive ESI was last retrievable in its original  
6 format and to disclose the circumstances surrounding the change in status of that responsive ESI,  
7 whether that information is available from other sources, and whether any backup or copy of  
8 such original responsive ESI exists. Nothing in this paragraph is intended to expand or limit the  
9 obligations under the Code of Civil Procedure.

10 **P. Confidentiality Treatment**

11 Subject to the Protective Order, the Producing Party will brand any confidentiality  
12 endorsements in a corner of any TIFF images representing the produced item. Those  
13 endorsements must be in a consistent font type and size and must not obscure any part of the  
14 underlying image or Bates number.

15 **Q. Parent-Child Relationships**

16 Parent-child relationships (the association between an attachment and its parent document  
17 or between embedded documents and their parent) shall be preserved. For clarity, nothing in this  
18 paragraph is intended to modify Section F(1)(h) regarding hyperlinked documents.

19 **R. Family Groups**

20 A document and all other documents in its attachment range, emails with attachments and  
21 files with extracted embedded OLE documents all constitute family groups. If any member of a  
22 family group is produced, all members of that group must also be produced or else each member  
23 of that group must be separately logged on the privilege log. For clarity, nothing in this  
24 paragraph is intended to modify Section F(1)(h) regarding hyperlinked documents.

25 **S. Privilege Log**

26 1. The Producing Party shall provide the Requesting Party with a log of the  
27 documents withheld for privilege or pursuant to the specific additional grounds enumerated in  
28 the Protective Order containing the following information: Custodian, File Name, Subject, From,

1 To, CC, BCC, Date, ATTACHNAME, and Basis of Withholding, and a brief description of the  
2 document and its contents or subject matter sufficient to determine whether the privilege applies  
3 as required by California CCP § 2031.240. In-house attorney names shall be designated with an  
4 asterisk; outside counsel attorney names will be designated with a double asterisk.

5 2. Privilege logs shall be produced in Native Excel format on a rolling basis, but no  
6 later than 45 days after each document production.

7 3. A party is not required to log redacted documents but agrees to respond to  
8 reasonable requests for additional information regarding the basis for redactions on specific  
9 documents where the basis is unclear from the document itself.

10 4. The Parties are not required to include on their respective privilege logs any  
11 privileged communications, including but not limited to documents, dated on or after January 8,  
12 2025, or any stand-alone documents created at the direction of or by counsel in anticipation of or  
13 in connection with litigation on or after that date.

14 5. As a limited exception, Defendant will include on its privilege log any  
15 communications that: (i) were made between January 8, 2025, and January 30, 2025; and (ii)  
16 pertain to the de-energization or re-energization of transmission power lines in or near Eaton  
17 Canyon at any time between January 7, 2025 and January 20, 2025. For the avoidance of doubt,  
18 this exception does not apply to communications that include outside counsel and/or in-house  
19 counsel of record concerning any order, hearing or filing in the Eaton Fire litigation. Defendant  
20 will also include on its privilege log documents in its possession, custody, or control, dated on or  
21 before May 6, 2025, that pertain to Defendant's investigation of the cause and origin of the Eaton  
22 Fire regardless of whether such documents were provided to in-house or outside counsel of  
23 Defendants, excluding communications involving Hueston Hennigan LLP.

24 6. Upon reasonable request, the Producing Party agrees to provide additional  
25 information supporting the claim of privilege if it is not clear from the privilege log and/or the  
26 face of the redacted document.

27 **T. Production by Plaintiffs.**

28 1. To the extent that the responsive and relevant documents (other than "Insured

Designated Material” as described in F.2.a) in the possession, custody or control of any Plaintiff in this matter exceeds 2000 pages, excluding medical records and insurance claim records, each such Plaintiff will produce their documents in the manner required by this Order. To the extent that the responsive and relevant documents in the possession, custody or control of any Plaintiff in this matter is 2000 pages or less per Plaintiff excluding medical records and insurance claim records, each such Plaintiff in this matter will produce Hard-Copy Documents and ESI (if any) as PDFs, with the exception that documents received from third parties (e.g. medical providers) will be produced in the format they are received (with Bates Numbers), (2) photographs and videos taken between January 7, 2025 and January 10, 2025 shall not be produced as PDFs and shall instead be produced in native format, (3) unitized documents of more than 100 pages shall be produced as single files and not aggregated into an omnibus .pdf, and (4) for any Plaintiff in this matter whose production is greater than 2000 pages (excluding medical records and insurance claim records), ESI items shall be produced with all of the metadata and coding fields set forth in Section F.1.e to the extent that information is available. Defendants may also make reasonable requests for the production of specific ESI items with the metadata and coding fields set forth in Section F.1.e to the extent that information is available.

**U. Miscellaneous Provisions**

1. Objections Preserved: Nothing in this Protocol shall be interpreted to require disclosure of either irrelevant information or relevant information protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege or immunity. Except as provided expressly herein, the parties do not waive any objections as to the productions, discoverability, authenticity, admissibility and confidentiality of Documents and ESI. The receiving party must not use ESI that the Producing Party asserts is attorney-client privileged or work product protected to challenge the privilege or protection. The mere production of ESI in this litigation as part of a mass production will not itself constitute a waiver for any purpose.

2. Modifications: Recognizing that each Producing Party may experience production issues due to, among other things, individual and/or proprietary electronic mail or other data systems that may not be fully compatible with the technical specifications set forth herein, any

1 practice or procedure set forth herein may be varied by agreement of the parties, confirmed in  
2 writing, to accommodate such issues and/or where such variance is deemed appropriate to  
3 facilitate the timely and economical production of Documents or ESI. No party shall  
4 unreasonably object to any such variance. Any dispute as to a variance shall be resolved through  
5 a meet and confer process and, if an agreement cannot be reached, by presentation to the Court  
6 for resolution.

7 3. Cost Allocation: The parties agree to bear their own costs relating to the  
8 production of ESI as provided in this Order. The parties expressly reserve the right to seek costs  
9 in connection with disputes unaddressed by this Order and with respect to proposed variances  
10 therefrom.

11 4. Clawback: The inadvertent production of a privileged or work product protected  
12 ESI is not a waiver in the pending case or in any other federal or state proceeding. This provision  
13 shall be interpreted to provide the maximum protection allowed by California law. Electronic  
14 documents that reasonably appear, on their face, to contain privileged information or attorney  
15 work-product shall be immediately returned or destroyed by the Receiving Party. Nothing  
16 contained herein is intended to or shall serve to limit a Party's right to conduct a review of  
17 documents, ESI or information (including metadata) for relevance, responsiveness, and/or  
18 segregation of privileged and/or protected information before production.

19 5. Copies of documents produced by Plaintiffs related to damages will not be  
20 uploaded or maintained in the Liability-Only Repository.

21  
22 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**  
23

24 Dated: May 7, 2025

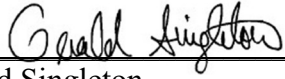





**PANISH | SHEA | RAVIPUDI LLP**

25 By: 

26 Brian Panish

27 Rahul Ravipudi

28 *Liaison Counsel for Individual Plaintiffs*

1	Dated: May 7, 2025	<b>SINGLETON SCHREIBER, LLP</b>
2		By: <u></u>
3		Gerald Singleton
4		Paul Starita
5		<i>Liaison Counsel for Individual Plaintiffs</i>
6	Dated: May 7, 2025	<b>COREY, LUZAICH, DE GHETALDI &amp; RIDDLE, LLP</b>
7		By: <u></u>
8		Amanda L. Riddle
9		Sumble Manzoor
10		<i>Liaison Counsel for Individual Plaintiffs</i>
11	Dated: May 7, 2025	<b>COZEN O'CONNOR</b>
12		By: <u></u>
13		Howard Maycon
14		<i>Liaison Counsel for Subrogation Plaintiffs</i>
15	Dated: May 7, 2025	<b>SCHROEDER LOSCOTOFF STEVENS LLP</b>
16		By: <u></u>
17		Amanda R. Stevens
18		<i>Liaison Counsel for Subrogation Plaintiffs</i>
19	Dated: May 7, 2025	<b>GROTEFELD HOFFMANN</b>
20		By: <u></u>
21		Jordan B. Everakes
22		<i>Liaison Counsel for Subrogation Plaintiffs</i>
23	Dated: May 7, 2025	<b>BAUMAN LOEWE WITT &amp; MAXWELL, PLLC</b>
24		By: <u></u>
25		Matthew E. Delinko
26		<i>Liaison Counsel for Subrogation Plaintiffs</i>
27		
28		

Dated: May 7, 2025

**BARON & BUDD, P.C.**

By: 

John P. Fiske

Victoria E. Sherlin

*Liaison Counsel for Public Entity Plaintiffs*

Dated: May 7, 2025

**DIAB CHAMBERS LLP**

By: 

Ed Diab

Kristen Barton

*Liaison Counsel for Public Entity Plaintiffs*

Dated: May 7, 2025

**HUESTON HENNIGAN LLP**

By: 

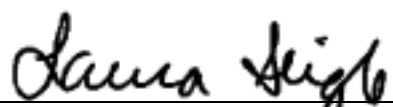
Douglas J. Dixon

*Attorneys for Defendant Southern  
California Edison and Edison  
International*

**PURSUANT TO STIPULATION, AND THE COURT FINDING GOOD CAUSE  
TO DO SO, IT IS SO ORDERED.**

Dated: May 7, 2025





Hon. Laura A. Seigle

Judge of the Superior Court

Laura A. Seigle / Judge

1 **EATON FIRE CASES**

2 **25STCV00731 (Lead Case – Gurse)**

3 **ELECTRONIC PROOF OF SERVICE**

4 I am over the age of 18 years and not a party to the within action. I am employed by  
5 Hueston Hennigan LLP whose business address is 620 Newport Center Drive, Suite 1300, Newport  
6 Beach, CA 92660.

7 On May 15, 2025, I caused to be served the following document(s) described as:

8 **DEFENDANT SOUTHERN CALIFORNIA EDISON COMPANY’S NOTICE OF ENTRY**  
9 **OF ORDERS RE: CMO NO. 3 AND ESI PROTOCOL**

10 on the interested parties in this action pursuant to the most recent Omnibus Service List by  
11 submitting an electronic version of the document(s) via file transfer protocol (FTP) to Case  
12 Anywhere through the upload feature at [www.caseanywhere.com](http://www.caseanywhere.com).

13 I declare under penalty of perjury under the laws of the State of California that the  
14 foregoing is true and correct.

15 Executed on May 15, 2025, at Newport Beach, California.

16  
17   
Kyli Lewis