

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

WHITNEY ELLIOTT,)	
)	
Plaintiff,)	
)	
vs.)	Cause No. 2:16-cv-2185-JAR
)	
THE TRAVELERS HOME AND)	
MARINE INSURANCE COMPANY)	
)	
Defendant.)	

**STIPULATED ORDER ESTABLISHING
ELECTRONIC DISCOVERY PROTOCOL**

I. SCOPE

Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, the parties have conferred regarding matters affecting the discovery of electronically stored information (“ESI” or “E-discovery”) and agreed on the following procedures regarding the production of ESI in this case, which the Court finds appropriate.

II. DEFINITIONS

A. **“Electronically stored information”** or **“ESI,”** as used herein, has the same meaning as contemplated by the Federal Rules of Civil Procedure.

B. **“Native data format”** means and refers to the format of ESI in which it was originally generated and/or normally kept by the producing party in the usual course of its business and in its regularly conducted activities.

C. **“Text Searchable Static Image”** refers to a PDF or TIFF image format capable of being viewed and printed on standard computer systems produced together with a file containing extracted or embedded text rendering the PDF or TIFF image easily searchable.

D. “**Documents**” has the meaning contemplated in the Federal Rules of Civil Procedure.

III. FORM OF PRODUCTION

The parties agree to produce documents in the following format:

A. Production of ESI shall be in either PDF or TIFF image file format with searchable text. Industry standard PDF or TIFF production is considered acceptable. Native production of documents is an acceptable alternative to production in PDF or TIFF if the parties agree to native production, however, spreadsheets and similar documents shall be produced in native format.

B. All files, including native, to be named with the beginning Bates number of the document.

C. PowerPoint/presentations – to be imaged with Speaker Notes exposed.

D. Spreadsheets – to be imaged with hidden rows, columns, sheets exposed.

E. Passwords – known passwords for protected documents to be provided.

IV. MISCELLANEOUS

In the event of individual issues that arise with regard to the identification and production of ESI and ESI-related information, as set forth in this Order, any practice or procedure provided for herein as to such identification and/or production may be varied by written agreement of the parties where such variance is deemed appropriate to facilitate the timely and economical exchange of documents, ESI or ESI-related information. The parties shall meet and confer in the event of any dispute over the need for or nature of such variance in practice or procedure, in an effort to reach agreement prior to informing the Court of any unresolved issues.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

Dated: June 21, 2016

/s/ Russel Hazlewood
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PURSUANT TO STIPULATION, AND THE COURT FINDING IT APPROPRIATE, IT IS SO ORDERED.

DATE: June 21, 2016

s/ James P. O'Hara
James P. O'Hara
United States Magistrate Judge