**IN THE CHANCERY COURT, STATE OF WYOMING**

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| Plaintiff,v.Defendant. | Case No. CH-2022-0000000  |
| **[Model] ESI Protocol**  |

The parties, having met and conferred regarding eDiscovery in this matter, agree to this ESI protocol and submit it to the Court for its approval and entry.

1. **Purpose.** This ESI Protocol will govern discovery of electronically stored information in this case as a supplement to the Wyoming Rules of Civil Procedure for Chancery Court and any other applicable rules and orders.
2. **Cooperation.** The parties understand the importance the Chancery Court places on cooperation and proportionality in the electronic discovery process. With this understanding, the parties commit to cooperate in good faith throughout this matter consistent with this ESI protocol.
3. **eDiscovery Liaison.** The parties have identified liaisons to each other who are and will be knowledgeable about and responsible for discussing their respective ESI. Each eDiscovery liaison will be, or will have access to those who are, knowledgeable about the technical aspects of eDiscovery, including the preservation, location, nature, accessibility, format, collection, search methodologies, and production of ESI in this matter. The parties will rely on the liaisons, as needed, to confer about ESI and to help resolve disputes without court intervention.
4. **Preservation.** The parties have discussed their preservation obligations and needs and agree that preservation of potentially relevant ESI will be reasonable and proportionate. To reduce the costs and burdens of preservation and to ensure proper ESI is preserved, the parties agree that:
	1. Only ESI created or received between\_\_\_\_\_and\_\_\_\_\_will be preserved.
	2. ESI for the following specific data sources will be preserved:
		1. Plaintiff:
		2. Defendant:
	3. ESI for the following specific data sources is not reasonably accessible and will not be preserved:
		1. Plaintiff:
		2. Defendant:
5. **Search Protocol.** The parties have agreed upon the following protocols for the identification and review of relevant ESI (e.g., keyword searches, predictive coding, etc.).
	1. **Custodians or Data Sources.** If the parties agree that ESI should be searched on a custodian-by-custodian basis, data source-by-data source basis, or both, then the parties should identify the custodians and data sources whose ESI will be searched.
	2. **Date Range Restrictions.** Identify any date filters to be used when searching custodians or data sources.
	3. **Search Terms:** If the parties agree to use search terms, identify the agreed-upon search terms.
	4. **Technology-Assisted Review.** If the parties agree to use predictive coding or other forms of technology-assisted review, then the parties should set forth agreed-upon parameters here.
6. **ESI Production Specifications.** The following procedures and specifications apply to producing ESI in this case.
	1. **Format.** The parties will produce documents in [set forth file format, load file requirements, and treatment of native files]. If a particular document warrants a different format, the parties will cooperate to arrange for the mutually acceptable production of the document. The parties agree not to degrade the searchability of documents as part of the document production process.
	2. **Metadata.** The parties agree to produce the following metadata fields to the extent they exist with respect to the original document or information:
	3. **Bates.** The parties agreed to electronically Bates label documents as follows:
		1. Plaintiff(s) Bates Designation:
		2. Defendant(s) Bates Designation:
	4. **De-duplication.** Describe the process of removing identical copies of documents during a producing party’s review of ESI.
	5. **De-NISTing**. Describe any requirement that a producing party de-NIST ESI.
	6. **Delivery.** Establish how the parties will deliver ESI—secure file transfer protocol, overnight delivery of an encrypted portable hard drive, etc.
7. **Protection.** The mere production of a privileged or work-product-protected document is not itself a waiver of privilege or protection in this case or in any other proceeding.
8. **Modification.**  The Court may modify this ESI protocol for good cause shown.

**IT IS SO AGREED:**

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[Counsel] Date

Attorney(s) for Plaintiff

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[Counsel] Date

Attorney(s) for Defendant

**IT IS SO ORDERED:**