

[Date]

[Opposing Counsel Name]

[Law Firm Name]

[Address]

[City, State, Zip]

Re: [Case Name and Docket Number] - Meet and Confer Regarding Phased ESI Protocols

Dear [Counsel Name]:

In accordance with [Local Rule/Federal Rule of Civil Procedure 26(f)], I am writing to propose a meet and confer session regarding the management and production of Electronically Stored Information (ESI) in this matter. To ensure efficiency and minimize costs for both parties, we propose adopting a phased approach to ESI discovery.

Specifically, we suggest discussing the following protocol elements during our conference:

- **Phase 1: Identification and Preservation.** Agreement on the list of key custodians, relevant time periods, and specific data sources (e.g., email servers, cloud storage, mobile devices) to be preserved.
- **Phase 2: Search Methodology.** Collaboration on search terms, date filters, and the potential use of Technology Assisted Review (TAR) or predictive coding to narrow the initial data set.
- **Phase 3: Production Specifications.** Agreement on metadata fields, file formats (e.g., TIFF, Native, PDF), and the handling of privileged materials (including a clawback agreement pursuant to FRE 502).

By phasing our ESI efforts, we can address the most critical data first and potentially avoid the over-collection of irrelevant information. We are available to meet via [Telephone/Video Conference] on the following dates/times:

- [Option 1: Date and Time]
- [Option 2: Date and Time]
- [Option 3: Date and Time]

Please let us know which of these times works for you, or propose an alternative schedule. We look forward to a productive discussion.

Sincerely,

[Your Name]

[Your Law Firm]

[Your Contact Information]