

[Your Name/Law Firm]  
[Address]  
[City, State, Zip Code]  
[Email Address]  
[Phone Number]

[Date]

[Opposing Counsel Name]  
[Opposing Law Firm]  
[Address]  
[City, State, Zip Code]

**Re: [Case Name and Court Docket Number]**  
**Subject: Meet and Confer Regarding ESI Protocol and Protective Order**

Dear [Opposing Counsel Name],

I am writing to schedule a "meet and confer" conference pursuant to [Insert Local Rule or Federal Rule of Civil Procedure, e.g., Rule 26(f)] to discuss the management of Electronically Stored Information (ESI) and the entry of an appropriate Protective Order in the above-referenced matter.

To facilitate our discussion, I have attached a draft ESI Protocol and a proposed Stipulated Protective Order for your review. We would like to reach an agreement on the following items:

- **Scope of ESI:** Identification of relevant systems, custodians, and timeframes for data collection.
- **Production Format:** Agreement on metadata fields, image formats (TIFF/PDF), and native file production for specific file types (e.g., Excel, PowerPoint).
- **Search Methodology:** Discussion of keywords, date filters, or the use of technology-assisted review (TAR).
- **Privilege and Clawback:** Implementation of a Federal Rule of Evidence 502(d) Order to prevent waiver of privilege in the event of inadvertent production.
- **Confidentiality Designations:** Establishing tiers for "Confidential" and "Attorneys' Eyes Only" information.

Please let me know if you are available for a brief call on [Date] at [Time] to discuss these drafts. If you have your own templates you would prefer to use, please forward them at your earliest convenience.

I look forward to working with you to streamline the discovery process.

Sincerely,

[Your Signature]

[Your Printed Name]