

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

[Date]

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

RE: [Case Name/Matter Number] - Meet and Confer Regarding Subpoena to [Non-Party Name]

Dear [Opposing Counsel Name],

I am writing to meet and confer regarding the Subpoena Duces Tecum served on [Non-Party Name] on [Date]. Specifically, we seek to discuss the significant costs associated with complying with your requests and the necessity of cost-shifting to protect our client from undue burden and expense.

As a non-party to this litigation, [Non-Party Name] is entitled to protection against significant expense resulting from compliance. The current scope of your request requires [Briefly describe the burden, e.g., extensive forensic collection, review of thousands of emails, or specialized technical extraction].

We have obtained an initial estimate for these tasks, which totals approximately \$[Amount]. This figure includes:

- Vendor fees for data collection and processing: \$[Amount]
- Attorney/Paralegal time for privilege and responsiveness review: \$[Amount]
- Costs for reproduction and delivery: \$[Amount]

Under [Cite relevant rule, e.g., Federal Rule of Civil Procedure 45(d)(2)(B)(ii)], the court must protect a non-party from significant expense. Because these costs are substantial and the requested discovery is for your benefit, we request that your client agree to reimburse [Non-Party Name] for all reasonable compliance costs as a condition of production.

We are available to discuss narrowing the scope of the subpoena to reduce these costs or to establish a payment schedule on [Date] at [Time]. Please let us know if you are available then.

Sincerely,

[Your Signature]

[Your Printed Name]