

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: SOCLEAN, INC., MARKETING,  
SALES PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION

Master Docket No. 22-MC-00152-JFC

This Document Relates to:

MDL No. 3021

All Consumer Cases

**STIPULATED ADDENDUM A TO PRE-TRIAL ORDER #18**

**STIPULATED ORDER REGARDING DISCOVERY OF DOCUMENTS AND  
ELECTRONICALLY STORED INFORMATION**

This Addendum A to the Stipulated Order Regarding Discovery of Documents and Electronically Stored Information (“ESI”) (Pre-trial Order #18) sets forth timelines with regard to the Search and Identification provisions therein (Section IV).

1. **ESI Checklist.** On June 6, 2022, Counsel for Consumer Plaintiffs and Defendant SoClean engaged in meaningful ESI discussions, including a meet-and-confer where the parties discussed initial issues, guided by the W.D.Pa. checklist.

a) By **September 9, 2022**, the Parties will complete a complete, in-depth discussion of ESI topics outlined in Section IV.1.

2. **Preservation.**

a) By **September 9, 2022**, the Parties each provide a complete list of systems that contain ESI not associated with individual custodians that will be preserved, including the date ranges and format in which the data is stored.

b) By **September 16, 2022**, SoClean will provide: (1) a description of data from sources that are not reasonably accessible and that will not be reviewed for responsiveness or produced, but that will be preserved pursuant to FRCP 26(b)(2)(B); (2)

the description of data (including source and volume) from sources that (i) the party believes could contain relevant information but (ii) has determined, under the proportionality factors, should not be preserved.

c) Within 5 days of a Consumer Plaintiff's discovery that a source is not reasonably accessible, he or she will provide a description of data from sources that are not reasonably accessible and that will not be reviewed for responsiveness or produced, but that will be preserved pursuant to FRCP 26(b)(2)(B).

3. **Initial Disclosures.** On August 12, 2022, the parties exchanged their initial disclosures, per Fed. R. Civ. P. 26(a)(1)(A).

a) By **September 2, 2022**, each Party will identify and raise deficiencies in the opposing party's initial disclosures.

b) By **September 15, 2022**, the Parties will meet-and-confer on deficiencies related to initial disclosures or raise any disputes with the Special Master.

4. **Non-Custodial Sources.** On August 5, 2022, SoClean disclosed an initial list of non-custodial sources of data. Plaintiffs did not identify any non-custodial sources of data.

a) By **September 22, 2022**, the Parties will reach agreement on an initial set of non-custodial sources or raise any disputes with the Special Master.

b) By **October 14, 2022**, SoClean will provide a list of non-custodial sources that will be produced in full and hit reports, if applicable, for any agreed-upon non-custodial searches, generated as a result of SoClean's obligations under Fed. R. Civ. P. 26(a)(1)(A)(ii).

c) By **October 21, 2022** (if necessary), the Parties will meet-and-confer to revise the non-custodial search terms, based on the results of the hit report.

d) SoClean will begin rolling production from the identified non-custodial data sources by **November 11, 2022**, and will endeavor in good faith to complete production no later than January 6, 2023.

5. **Custodians.** The Parties exchanged an initial list of custodians on August 5, 2022.

a) By **September 13, 2022**, the Parties will meet-and-confer regarding production of SoClean corporate organizational chart(s), dates of employment for former and current SoClean personnel, departmental infrastructure, and other information necessary for the parties to engage in a productive conversation about SoClean's custodians most likely to produce relevant ESI.

b) By **September 30, 2022**, the Parties will reach agreement on an initial set of custodians or raise any disputes with the Special Master.

6. **Search Terms.** On August 5, 2022, the parties exchanged proposed search terms and will meet-and-confer regarding these terms by **October 5, 2022**.

a) By **October 19, 2022**, the Parties will reach agreement on an initial set search terms to use on custodial sources or raise any disputes with the Special Master.

b) By **November 30, 2022**, the Parties will exchange hit reports for custodial sources on the agreed-upon terms.

c) By **December 9, 2022** (if necessary), the Parties will meet-and-confer to revise the custodial search terms, based on the results of the hit report.

d) The Parties will begin rolling production from the identified custodians by **January 13, 2023**, and will complete production will endeavor in good faith to complete production no later than May 1, 2023.

7. This Addendum does not waive the Parties' reservation of rights to supplement the search term methodology or Plaintiffs' reservation of rights to seek discovery from additional custodial or non-custodial sources or seek discovery of broader time period as the litigation evolves.

**IT IS SO ORDERED.**

Dated: 8/31/2022

/s/ JOY FLOWERS CONTI

Joy Flowers Conti  
Senior United States District Judge

**SO STIPULATED AND AGREED.**

DATED: August 29, 2022

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