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5 Plaintiff In Pro Per,

6 **UNITED STATES DISTRICT COURT**  
7 **CENTRAL DISTRICT OF CALIFORNIA**

MATTHEW R. WALSH

Plaintiff In Pro Per,

vs.

ROKOKO ELECTRONICS  
(AND DOES 1 THROUGH 50,  
INCLUSIVE)

Defendant

Case No.: 2:25-CV-05340-ODW-RAO

*[Assigned to Hon. Otis D. Wright, II,  
Courtroom 5D; Hon. Rozella A. Oliver,  
Courtroom 590]*

**PLAINTIFF’S PROPOSED ESI  
PROTOCOL**

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9 **1. Scope**

10 a. This protocol governs the format of electronically stored information  
11 (“ESI”) produced by any party in this action.

12 **2. No alteration**

13 a. ESI shall be collected and produced in a manner that preserves  
14 original file structure and inherent metadata.

15           **b.** No intentional alteration of timestamps, routing headers, file  
16           properties, embedded metadata, or internal file structure is permitted.

17           **3. Production format – Native Required**

18           **a.** ESI shall be produced in its native format whenever reasonably  
19           available pursuant to FRCP 34(b)(1)(C)

20           **b.** Native includes but is not limited to: .msg, .eml, .docx, .xlsx, .pdf (if  
21           originally native), .jpg, .png, .txt, .zip, .db, .json, .html, etc.

22           **c.** Conversions to PDF, TIFF are ancillary and must not replace the  
23           native file, but may be performed to supplement it.

24           **4. PDFs / Documents & Images.**

25           **a.** If a file is already stored as a PDF or image, it will be produced as-is  
26           (native). Parties will not convert native Office files or any other file  
27           formats into PDFs unless specifically agreed.

28           **b.** PDF's which contain bodies of text should be machine-readable text  
29           objects, not simply an image of bodies of text when possible.

30           **5. Email production (mandatory)**

31           **a.** All Parties and their Counsel of record in this action have been  
32           identified to use Outlook. Therefore, emails must be produced as  
33           individual native outlook message files (.msg)

- 34 b. Each message must include full headers and metadata (e.g.,  
35 From/To/Cc/Bcc, Subject, Sent/Received dates, Message-ID, routing  
36 headers, transport headers, etc.). This data must not be limited.
- 37 c. Collection method: Emails must be exported/produced by drag-and-  
38 drop from Outlook (or equivalent export) so that each email remains a  
39 discrete native .msg file.
- 40 d. Emails shall not be batch-rendered into PDF compilations as a  
41 substitute for the native file (see ¶ 3(c))
- 42 e. Export shall preserve internal MIME structure and embedded  
43 metadata. (see ¶ 2)

44 **6. Attachments:**

- 45 a. Attachments must be produced in their native format and placed into a  
46 directory named 'Attachments'. Each attachment must be named as  
47 the BATES number of the original message followed by a hyphen, a  
48 sequential number indicating the attachment index and then followed  
49 by another hyphen and the original name of the file. (e.g.,  
50 *"WALSH000102-1-Attachment Image 01.jpg"*)

51 **7. Text messages / chats / platform DMs**

52 a. Where messages exist in a platform export (e.g., JSON/HTML/CSV),  
53 they will be produced in the exported native format plus any  
54 associated media files.

55 **8. Responsive Keywords**

56 a. Each party shall supply a list of responsive keywords (e.g., warranty,  
57 firmware, repair, walsh). The Plaintiff shall provided indexes  
58 containing matches for each responsive keyword or phrase; the  
59 Defendant may do so at their discretion but is not required.

60 **9. Indexes**

61 a. Indexes shall contain the following fields and headers at a minimum:

62 **b. {Start Bates, End Bates, Custodian, Original FileName,**  
63 **Description, Article Date, From, To, CC, BCC, Subject,**  
64 **Attachment Count, Keyword Matches, SHA256 (or MD5)}**

65 c. The producing party is responsible for providing a master index.

66 d. Defendant may, at their discretion, but is not required to produce  
67 indexes which contain qualified files where a responsive keyword has  
68 been matched to a file's field or content. Plaintiff will shoulder that  
69 burden otherwise.

70 e. The indexes shall be named index.csv for the master file and  
71 indexRespons\_\_\_<keyword>.csv for each responsive keyword index.

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**10. Folder structure and organization**

- a. Productions will be organized into folders sufficient to preserve context. All derivative or associated files shall maintain a single bates number for fast identification and search.
- b. Where an asterisk is present, Defendant shall not be required to provide this content, Plaintiff accepts the burden of doing so. Plaintiff, however, will supply this content to the Defendant.
- c. The directory tree shall be:

**i. ./ (parent directory)**

contains a text file \_fileList.txt (which is simply a complete catalog of every file in the sub directories in a list), index.csv (the master index); and responsive keyword indexes (as defined in ¶ 9), and a file responsive-keywords.txt (a list of responsive keywords).

**ii. ./ATTACHMENTS/**

contains the e-mail attachments as defined in ¶ 6.

**1. ./ATTACHMENTS/CERT/ \*\*\***

contains text files with a MD5 or SHA256 certificate

**iii. ./EXIF/ \*\*\***

contains text files of exported EXIF metadata

- 92           iv. ./HTML/                   \*\*\*  
93                   contains HTML versions of the e-mail body
- 94           v. ./METADATA/               \*\*\*  
95                   contains text, json and xml of metadata / e-mail header output.
- 96           vi. ./NATIVES  
97                   contains the original native file with only it's bates naming and  
98                   it's original file extension.
- 99           vii. ./ORIGINALS  
100                   contains the original file with it's bates naming and additionally  
101                   it's original filename appended after the bates naming (*e.g.*,  
102                   *WALSH00012\_\_Re: Rokoko Invoice.msg*)
- 103           viii. ./PDF  
104                   contains a PDF version of the original file (e-mail body must  
105                   include basic To/From/CC/BCC/Subject/Date headers)
- 106           ix. ./TEXT                   \*\*\*  
107                   contains a plaintext version of the e-mail body
- 108           x. ./TIFF                   \*\*\*  
109                   contains multipage TIFF image's of the converted PDF files

110   **11. File naming**

111 a. Each produced file will be named with a unique bates numbering  
112 production identifier (e.g., WALSH000123.docx,  
113 WALSH000123.msg). If reasonably available, the producing party  
114 may append the original filename (e.g., WALSH000123\_\_Original  
115 Filename Goes Here.xlsx)

116 **12. Metadata preservation**

- 117 a. Producing parties will preserve and produce native metadata inherent  
118 to the file, including but not limited to (where applicable):
- 119 i. created/modified/accessed timestamps as stored
  - 120 ii. author/last saved by
  - 121 iii. file path (if available)
  - 122 iv. email header data
  - 123 v. Underlying metadata and EXIF data for photos, files and  
124 documents.
  - 125 vi. hash values (if generated)
- 126 b. No party is required to create additional metadata fields beyond what  
127 exists in the native item.
- 128 c. Metadata will not be modified, removed, or altered in any way.

129 **13. Privilege**

130 a. Privileged material will not be produced unless ordered, stipulated or  
131 part of a protective order. Each party may provide a privilege log as  
132 required by applicable rules or court order.

133 b. Pursuant to established law; IP addresses are not privileged  
134 information and may not be deemed so, restricted, edited, hidden or  
135 redacted.

136 **14. Clawback / inadvertent production**

137 a. If any privileged material is inadvertently produced, the receiving  
138 party will promptly return, sequester, or destroy it upon notice,  
139 consistent with Fed. R. Civ. P. 26(b)(5)(B). Parties may agree to entry  
140 of a Fed. R. Evid. 502(d) order.

141 **15. Disputes**

142 a. If a party contends that a requested format is not reasonably  
143 available, the parties will meet and confer promptly. The default  
144 remains native production unless the court orders otherwise.

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Matthew R. Walsh  
Plaintiff In Pro Per