

Chris Iannicelli

From: Stewart, David [DStewart@alston.com]
Sent: Tuesday, January 11, 2005 6:08 PM
To: Chris Iannicelli; David Stone
Subject: Document Production Questions

Chris and David:

This follows-up on my conversation with Chris this afternoon about several questions we have related to the mechanics of the document production. These questions are as follows:

1. AutoZone has run the script you provided on the store load machine at AutoZone's headquarters. The script identified 15 SCO-ELF and Xenix files. AutoZone is making a copy of these files and will produce them to you. Each of these files likely also exist on all 3,500 AutoZone store servers. We are assuming that production of the 15 files from the load machine will be sufficient and that you do not need copies of the files from each of the 3,500 individual store servers, or an identification of which servers have copies of the files and which do not. Please confirm.

2. AutoZone will run the script you provided on each of the individual store servers remotely. If the program identifies additional SCO-ELF or Xenix files on any store servers, is it sufficient if we simply provide you with a copy of each file without an identification of which store server each additional file was on?

3. In the prior production, with your client's permission, AutoZone deleted the SCO files it found on its computers after making copies to provide to you. I am assuming that this is the same protocol we should follow with the current production. However, if it is not, please let me know as soon as possible.

4. David had originally indicated that he would like to receive images of ten random store servers. We have discussed previously the difficulties in imaging store servers, and I requested that this number be reduced to five. Please let me know if that number is acceptable. We are in the process of obtaining a master store list, and will provide it to you as soon as possible so that you can select the store servers you wish to have imaged.

5. Finally, it is probably appropriate to at least pencil in a date for the deposition you plan to take. Can you give me dates that work for you so that I can try to lock them down with the appropriate AutoZone witness?

Thanks much,

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