

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

MOTOWN RECORD COMPANY, L.P.,  
et al.,

Plaintiffs,

District Judge Bernard A. Friedman  
Magistrate Judge Donald A. Scheer  
Case No. 04-73646

v.

JAMES NELSON and ANGELA NELSON,  
Defendants.

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**PROTECTIVE ORDER RE: INSPECTION AND  
COPYING OF COMPUTER HARD DRIVE**

NOW, on the 12th day of July, 2005, upon hearing Plaintiffs' Motion to Compel, being advised in the premises, and for good cause shown, the Court enters this Protective Order pursuant to Federal Rule of Civil Procedure 26(c) for the protection of confidential information. IT IS THEREFORE ORDERED:

James and Angela Nelson ("Defendants") will make their computer hard drive available for imaging by Plaintiffs on or before August 1, 2005.

On behalf of Motown Record Company, L.P., BMG Music, Warner Bros. Records Inc., Sony Music Entertainment Inc., UMG Recordings, Inc. ("Plaintiffs"), an expert in computer forensics will make one (1) verified bit-image (i.e., mirror image copy) of the computer hard drive and will create an MD5 or equivalent hash code of Defendants' original computer hard drive to ensure that Defendants' original hard drive is not altered and to ensure that the copy of Defendants' hard drive that is inspected is an exact duplicate of Defendants' original hard drive.

An expert in computer forensics will then examine the image of the Defendants' computer hard drive for all relevant data. At Defendants' request, one copy of the mirror image and hash code signature will also be provided to Defendants'

counsel. Defendants will bear the cost of obtaining the copy of the mirror image and hash code signature.

Plaintiffs' expert in computer forensics (and any assistants pursuant to paragraph 5 below) will keep confidential all non-relevant information regarding Defendants' computer hard drive and will disclose such information only to counsel for Plaintiffs or to the Court, as appropriate.

Plaintiffs' computer forensic expert may designate assistants to help in efforts necessary to complete the forensic inspection of Defendants' computer hard drive.

After final resolution of this case, including all appeals, Plaintiffs' forensic computer expert shall destroy all images of Defendants' computer hard drive and shall confirm such destruction to the satisfaction of both parties.

Defendants will prepare a privilege log for any and all files for which Defendants claims a privilege. The parties agree that such files are subject to *in camera* review by the Court.

Plaintiffs will timely notify Defendants' counsel of and produce hard copies of any and all files or documents that Plaintiffs may seek to introduce as evidence at the trial of this action so that Defendants' counsel can timely raise any objection, including privilege, to any such evidence or any portion thereof.

IT IS SO ORDERED.

Dated: July 21, 2005

s/Donald A. Scheer  
DONALD A. SCHEER  
U.S. Magistrate Judge