

QUAN-EN YANG, et al.
On His Own Behalf and on Behalf
of All Others Similarly Situated,

Plaintiffs,

vs.

G & C GULF, INC. d/b/a
G&G TOWING

Defendant.

* IN THE
* CIRCUIT COURT
* FOR
* MONTGOMERY COUNTY, MD.
* Case No. 403885-V
* Hon. Ronald B. Rubin
* Specially Assigned
* TRACK VI

ENTERED

AUG 10 2015

Clerk of the Circuit Court
Montgomery County, Md.

**STIPULATED ORDER REGARDING
ELECTRONICALLY STORED INFORMATION**

In compliance with the Notice of Scheduling Hearing and Order of Court dated April 30, 2015 (Dkt. No. 6), Plaintiffs and Defendants in the above-captioned case (collectively, “the Parties”) have had several telephone conversations (including on July 16 and 20, 2015) regarding the production and storage of Electronically Stored Information (“ESI”). As a result of these conversations, the Parties hereby Stipulate and Agree, with the approval of the Court, as follows:

1. Retention of All Data Within Defendants’ Computer System.

A. In Tow Management. Since 2005, Defendant G&G Towing has used a computer program named *In Tow Management* for its data collection and file management. *In Tow Management* is currently loaded onto G&G Towing’s server which is accessed by six (6) G&G Towing computers all of which are located at G&G Towing’s offices. The information accessible through *In Tow Management* includes data and information regarding each trespass tow undertaken by G&G Towing since 2005 including the identification of vehicles towed (description, VINs in most instances and license plate numbers), the date of the tow, the identity of the G&G Towing personnel involved in the tow, the identity of the parking lot owner, the

location of the tow, and amounts charged for and/or paid in connection with the tow. In addition, *In Tow Management* maintains electronic copies of all invoices issued in connection with the redemption of each vehicle (including all amounts charged to and paid by the owner or authorized agent of the towed vehicle), photographs when taken or captured in connection with the tow and tow slips or other authorization documents issued. During the course of this litigation, including all appeals, G&G Towing shall maintain, preserve and back-up all of the information, data and documents within its server that houses *In Tow Management*. G&G Towing shall also maintain a working copy of *In Tow Management*.

B. Personal Computer and E-Mail of Bryan Sherman. Bryan Sherman, General Manager of G&G Towing maintains business related e-mails on his personal e-mail account with AOL.com. The e-mails are sent from and received by Mr. Sherman using a non-G&G Towing e-mail address. These e-mails are stored and maintained in a separate folder(s) within AOL. During the course of this litigation, including all appeals, Mr. Sherman shall maintain and preserve his AOL e-mail account as well as the e-mails themselves relating to the G&G Towing business and/or this litigation.

2. **Retention of Video.** G&G Towing captures video on approximately fifteen (15) surveillance cameras located around G&G Towing's storage facility. This video is generally maintained for a period of thirty (30) ^{days per RSC} on a G&G Towing owned hard drive. During the course of this litigation, including all appeals, G&G Towing shall maintain, preserve and back-up certain of the video files which the parties shall agree to follow entry of this Order. At a minimum, G&G Towing shall maintain and preserve, on one or more separate hard drives, all videos of vehicle owners at the cashier's booth and the front door walkup after June 17, 2015. If the parties are unable to reach agreement on additional video locations that need to be preserved, such disagreement shall be presented to the Court.

ENTERED


AUG 10 2015

Clerk of the Circuit Court
Montgomery County, Md.


3. **Handling of Inadvertant Production of Privileged Materials.** The Parties agree that the provisions of Md. Rule 2-402(e)(3) shall govern the inadvertent production of privileged materials.

4. **Referral of ESI disputes to Special Master for Resolution.** The Parties do not consent to the referral of ESI disputes to a Special Master.

Respectfully submitted,

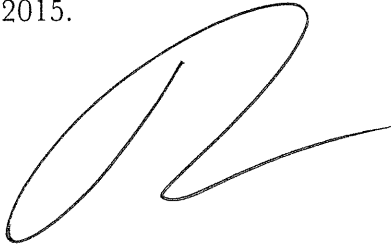

Richard S. Gordon
Benjamin H. Carney
GORDON, WOLF & CARNEY, CHTD.
102 West Pennsylvania Ave., Suite 402
Baltimore, Maryland 21204
(410) 825-2300

Attorneys for Plaintiff and the
Putative Class


Ronald S. Canter
Law Offices of Ronald S. Canter, LLC
200 A Monroe Street
Suite 104
Rockville, MD 20850
(301) 424-7490

Endrly
Attorneys for Defendants

SO ORDERED this 5th day of July, 2015.



Hon. Ronald B. Rubin
Circuit Court for Montgomery County

ENTERED

AUG 10 2015

Clerk of the Circuit Court
Montgomery County, Md.