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 AMAZON WEB SERVICES, INC., and  
 TWITCH INTERACTIVE, INC.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN JOSE DIVISION

15 IN RE: PERSONAL WEB TECHNOLOGIES,  
 LLC ET AL., PATENT LITIGATION,

16 AMAZON.COM, INC., and AMAZON WEB  
 17 SERVICES, INC.,

18 Plaintiffs

v.

19 PERSONALWEB TECHNOLOGIES, LLC and  
 20 LEVEL 3 COMMUNICATIONS, LLC,

21 Defendants.

22 PERSONALWEB TECHNOLOGIES, LLC, and  
 23 LEVEL 3 COMMUNICATIONS, LLC,

24 Plaintiffs,

v.

25 TWITCH INTERACTIVE, INC.,

26 Defendant.

Case No.: 5:18-md-02834-BLF

Case No.: 5:18-cv-00767-BLF

Case No.: 5:18-cv-05619-BLF

**JOINT STIPULATION RE  
 PERSONALWEB TECHNOLOGIES,  
 LLC'S POST-JUDGMENT DISCOVERY**

FENWICK & WEST LLP  
 ATTORNEYS AT LAW

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1 WHEREAS, Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc.  
2 (“Amazon”) served post-judgment discovery (requests for production and interrogatories) on  
3 PersonalWeb Technologies, LLC (“PersonalWeb”) on April 19, 2021;

4 WHEREAS, the Court ordered PersonalWeb to respond to the post-judgment discovery  
5 without objections after PersonalWeb failed to respond to the discovery (*see* Dkt 704; *see also* Dkt.  
6 664);

7 WHEREAS, PersonalWeb has agreed to supplement its responses to the discovery including  
8 interrogatories, and to produce additional documents responsive to the requests for production;

9 WHEREAS, PersonalWeb represents that in mid-August 2022 it retained a forensic  
10 specialist to collect documents from PersonalWeb for possible production to Amazon in response  
11 to the requests for production;

12 WHEREAS, PersonalWeb represents that the forensic specialist had harvested about  
13 500,000 documents from PersonalWeb that has since been narrowed down through back-end  
14 processing (i.e., de-duplication, domain filtering, and email threading and sorting);

15 WHEREAS, PersonalWeb had reviewed approximately 200 documents through October 7,  
16 2022, and PersonalWeb had reviewed approximately 1,500 documents through October 18, 2022;

17 WHEREAS, on October 11, 2022, Amazon served on PersonalWeb its portion of a joint  
18 statement seeking PersonalWeb to provide its supplemental responses and to complete its document  
19 production sooner than the current pace for expected completion of these undertakings;

20 WHEREAS, the parties have previously submitted to the Court for resolution a dispute  
21 regarding the waiver of privilege by PersonalWeb in a Joint Statement (Dkt. 790);

22 WHEREAS, the parties have agreed to resolve in-part the relief that Amazon seeks as  
23 PersonalWeb has offered to make a bulk production of documents, subject to a withholding certain  
24 documents pending resolution of the Joint Statement, within a reasonable time period to Amazon;

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1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED amongst Amazon  
2 and PersonalWeb that:

3 ***Bulk Production.*** PersonalWeb shall produce the documents that PersonalWeb has  
4 collected to date, and complete such production no later than one week from the filing of this  
5 Stipulation, subject to the withholding provision below, that contain any of the following search  
6 terms, with rooting:

7			
8	account	deposit	payable
9	action	disburse	payment
10	acquir	distribution	payroll
11	“adverse monetary”	employee	pledge
12	affiliat	employer	policies
13	agreement	employment	policy
14	annuit	excess	“power of attorney”
15	asset	expense	“predecessor in interest”
16	“attorney-in-fact”	financ	premium
17	audit	firearm	prepay
18	authori	gems	proceeds
19	award	gold	profit
20	bailment	gun	promissory
21	bank	hypothecation	propert
22	“bill of sale”	“independent contractor”	purchas
23	bookkeep	installment	receipt
24	broker	insurance	receivable
25	bullion	insured	rent
26	bylaw	interest	retainer
27	casino	invest	revenu
28	carrier	invoice	safe
	certificate	jewel	salary
	charter	lawsuit	sale
	checking	lease	sanction
	collection	liability	secur
	commodit	litigat	silver
	compensation	loss	specie
	contract	member	strongbox
	court	minute	subsidiar
	coverage	mortgage	“successor in interest”
	credit	obligat	tax
	currenc	ownership	token
	damage	P&L	transfer
	debt	parent	transmittal
	deductible	participat	valuat
	value	weapon	wire

1	bermeister	dyne	markiles
	weiss	neumann	chan
2	klier	ko	miller
3	petty	“robb evans”	robbevans
	mirman	mbn	bubman
4	frandzel	fletcher	poltrock
	welin	robins	receiver
5	kane	money	cash
	fund	dollar	protect
6	shield	benefi	judgment
7	amazon	twitch	freeman
	insulate	crypto	offshore
8	ledger		

9 ***Documents Withheld for Potential Privilege.*** From the set of documents resulting from  
10 running the search terms above against the collected documents, PersonalWeb will withhold  
11 documents that hit on any of the following search terms, which are intended to identify a potential  
12 privilege claim subject to resolution by the Court in connection with the Joint Statement. Nothing  
13 in this stipulation shall be construed as a concession by Amazon that PersonalWeb preserved and  
14 did not waive these privilege claims. PersonalWeb will disclose to Amazon the number of  
15 documents it has withheld under this provision. PersonalWeb will review the withheld documents  
16 through its outside counsel Lewis Roca and produce non-privileged documents and privilege logs  
17 on a rolling basis, every two weeks. The search terms for the potential-privilege screen are:

18			
19	farnanlaw	farnan	frandzel
	poltrock	welin	glaserweil
20	“lawrence hadley”	iplawllp	kgb-law
	“jack gordon”	lewisroca	“rob charles”
21	“patrick emerson mccormick”	maceikoip	maceiko
	mbn	bubman	mckoolsmith
22	mckoolsmithhennigan	mckool	“roderick dorman”
	“jeanne irving”	“jim bergman”	mololamken
23	lamken	“robert kry”	nixon-vanderhye
24	vanderhye	“joseph rhoa”	robbevans
	ronaldrichards	“ronald richards”	“ron richards”
25	sethlaw	sandeep	“sandy seth”
	siritskylaw	siritzky	stafforddavisfirm
26	“stafford davis”	“cate bartles”	stevenslove
	“jason holt”	sthompson	“stanley thompson”
27	stubbalderton	gersh	“gonzaque-dirks”
	“james ponce”	“michael sherman”	“vivian hedrick”
28			

1	“wes monroe”	susmangodfrey	“susman godfrey”
2	“roderick dorman”	“jeanne irving”	privilege*
3	“attorney client”	“attorney-client”	“work product”
4	“awp”		

4 **Attorneys’ Eyes Only.** This bulk production will be made “Attorneys’ Eyes Only,” and the  
 5 Parties will meet and confer regarding any requests by Amazon, through its counsel to de-designate  
 6 any document or reclassify it as “Confidential.”

7 **Privileged Claw Back Provision.** Upon discovery of any document or communication in  
 8 the bulk production that may be an inadvertent production of disputed attorney-client privileged  
 9 communications or attorney work product subject to the pending Joint Statement, Amazon will  
 10 promptly notify PersonalWeb of the potentially inadvertent production. PersonalWeb will have 10  
 11 business days to review the document(s) in question to determine if it wishes to assert a privilege  
 12 claim and withhold such document or communication pending the Court’s resolution of the Joint  
 13 Statement. If so, it will notify Amazon and claw them back such that Amazon will promptly delete  
 14 the records from its system and destroy any copies. PersonalWeb will then review the document  
 15 and produce, withhold, and/or log per the Court’s ruling on the pending Joint Statement (Dkt. 790).

16 **Agreement To Meet And Confer.** The Parties agree to meet and confer on the scope of any  
 17 additional document collection, search terms, technical issues, privilege issues (other than those  
 18 already before the Court in the Joint Statement), confidentiality classifications, and other issues as  
 19 they may arise on an ongoing basis.

20 **Supplemental Discovery Responses.** Since Amazon will receive this bulk production in  
 21 native format such that it can search and review the universe of documents just as PersonalWeb  
 22 could, PersonalWeb will not supplement its RFP responses to indicate which documents are  
 23 responsive to which requests.

24 **IT IS SO AGREED AND STIPULATED.**

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