

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MYW SEMITECH, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 25-cv-504-RGA

JURY TRIAL DEMANDED

**AGREED STIPULATION REGARDING
THE DISCOVERY OF ELECTRONICALLY STORED INFORMATION**

Plaintiff MYW Semitech, LLC, and Defendant Apple Inc., hereby agree that the following procedures shall govern discovery of Electronically-Stored Information (“ESI”) in this case. The District of Delaware Default Standard for Discovery shall govern this case except where inconsistent with the provisions below.

1. **Custodian names and search terms to be exchanged.** The parties shall meet and confer to reach agreement on a reasonable list of custodians for purposes of collection, review and production of electronically stored information. In connection with the meet and confer process, each party shall provide a proposed list of individual custodians who are knowledgeable about and were involved with the core issues or subjects in this case (e.g., the asserted patents, the development, design and operation of the accused products, and sales, marketing and other damages-related information for the accused products). ESI production requests under Federal Rules of Civil Procedure 34 and 45 shall not include email or other forms of electronic correspondence.

If the producing party elects to use search terms to locate potentially responsive ESI, the parties shall meet and confer to reach agreement on search term limits to be used for electronic searches of the files from those custodians. Absent a showing of good cause, a requesting party may request a reasonable number of additional terms beyond what a producing party offers to

use in connection with the electronic search. ESI, including, but not limited to electronic files, shall be collected for each individual custodian from the personal computers, network resources, and other electronic devices that those individuals use for work purposes. Notwithstanding prior agreement on the search terms to be used for electronic searches, should a search produce an unreasonably large number of non-responsive or irrelevant results, the parties shall (at the producing party's request) meet and confer to discuss application of further negative search restrictions (e.g., if a single search was for "card" and ninety percent of the resulting documents came from the irrelevant term "credit card," a negative limitation to ignore documents only returned as a result of "credit card" may be applied to remove these documents). The party receiving production shall not unreasonably oppose such further restrictions designed to filter immaterial search results.

2. **Format for production of documents – documents existing in electronic format.** Except as otherwise provided for in this Stipulation, all documents existing in electronic format shall be produced in multiple page, searchable PDF format or Group IV single page TIFF images at a resolution of at least 300 dpi in accordance with the following:

A. PDF files shall be produced along with Concordance/Opticon image load files that indicate the beginning and ending of each document. The file name shall be the same as the bates number of the first page of the document. TIFF images will be provided in a folder named "IMAGES" on the production media.

B. For documents which already exist in PDF format prior to production (i.e., which the producing party receives from a client or third party in PDF format), the producing party may provide them in that same PDF format, whether searchable or non-searchable. For documents converted to PDF format prior to production, the producing party shall make reasonable efforts to convert to searchable PDF.

C. **Metadata.** Load files should include, where applicable, the information listed in either (1) the Table of Metadata Fields, attached as Exhibit A or (2) Paragraph 5.e of the Delaware Standard for Discovery, Including Discovery Of Electronically Stored Information.

However, the parties are not obligated to include metadata for any document that does not contain such metadata in the original, if it is not possible to automate the creation of metadata when the document is collected. The parties reserve their rights to object to any request for the creation of metadata for documents that do not contain metadata in the original.

D. **Production media and encryption of productions.** Unless otherwise agreed, the parties shall provide document productions in the following manner: The producing party shall provide the production data on encrypted external hard drives or SFTP, as appropriate. The producing party shall encrypt the production data using WinRAR or 7zip encryption, and the producing party shall forward the password to decrypt the production data separately from the encrypted external drive or SFTP to which the production data is saved.

3. **Format for production of documents – hardcopy or paper documents.** All documents that are hardcopy or paper files shall be scanned and produced in the same manner as documents existing in electronic format, above.

4. **Source code.** This Stipulation does not govern the format for production of source code, which shall be produced pursuant to the relevant provision of the Protective Order.

5. **Parent and child emails.** The parties shall produce email attachments sequentially after the parent email.

6. **Native files.** Microsoft Excel and Access files should be produced natively. For any other type of files, the parties will meet and confer to discuss requests for the production of files in native format, on a case-by-case basis. If the parties are unable to reach agreement with regard to requests for additional documents in native-file format, the parties reserve the right to seek relief from the Court. Documents produced natively shall be represented in the set of imaged documents by a slipsheet indicating the production identification number and confidentiality designation for the native file that is being produced.

7. **Databases.** Certain types of databases are dynamic in nature and will often contain information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Thus, a party may opt to produce relevant and responsive information from

databases in an alternate form, such as a report or data table. These reports or data tables will be produced in a static format.

The parties agree to identify the specific databases, by name, that contain the relevant and responsive information that parties produce.

8. **Requests for high resolution or color documents.** The parties agree to respond to reasonable and specific requests for the production of higher resolution or color images.

Nothing in this Stipulation shall preclude a producing party from objecting to such requests as unreasonable in number, timing or scope, provided that a producing party shall not object if the document as originally produced is illegible or difficult to read. The producing party shall have the option of responding by producing a native-file version of the document. If a dispute arises with regard to requests for higher resolution or color images, the parties will meet and confer in good faith to try to resolve it.

9. **Foreign language documents.** All documents shall be produced in their original language. Where a requested document exists in a foreign language and the producing party also has an English-language version of that document that it prepared for non-litigation purposes prior to filing of the lawsuit, the producing party shall produce both the original document and all English-language versions. In addition, if the producing party has a certified translation of a foreign-language document that is being produced, (whether or not the translation is prepared for purposes of litigation) the producing party shall produce both the original document and the certified translation. Nothing in this agreement shall require a producing party to prepare a translation, certified or otherwise, for foreign language documents that are produced in discovery unless that party plans to use those documents at trial, in which case a certified translation will be produced.

10. **Document preservation.** A party has a common law obligation to take reasonable and proportional steps to preserve discoverable information in the party's possession, custody or control.

A. Absent a showing of good cause by the requesting party, the parties shall not be required to modify, on a going-forward basis, the procedures used by them in the ordinary course of business to back up and archive data; provided, however, that the parties shall preserve the non-duplicative discoverable information currently in their possession, custody or control.

B. Absent a showing of good cause by the requesting party, the categories of ESI identified in Exhibit B attached hereto need not be preserved.

STAMOULIS & WEINBLATT LLC

POTTER ANDERSON & CORROON LLP

By: /s/ Richard C. Weinblatt
Stamatis Stamoulis (#4606)
Richard C. Weinblatt (#5080)
800 N. West Street, Third Floor
Wilmington, DE 19801
(302) 999-1540
stamoulis@swdelaw.com
weinblatt@swdelaw.com

By: /s/ David E. Moore
David E. Moore (#3983)
Bindu A. Palapura (#5370)
Andrew M. Moshos (#6685)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
Tel: (302) 984-6000
dmoore@potteranderson.com
bpalapura@potteranderson.com
amoshos@potteranderson.com

Attorneys for Plaintiff MYW Semitech, LLC

Attorneys for Defendant Apple Inc.

Dated: October 13, 2025

IT IS SO ORDERED on this 14th day of October, 2025.

/s/ Richard G. Andrews

The Honorable Richard G. Andrews
United States District Judge

EXHIBIT A

TABLE OF METADATA FIELDS

<u>Field Name</u>	<u>Specifications Field Name</u>	<u>Field Type</u>	<u>Description (Email)</u>	<u>Description (E- Files/Attachments)</u>
BegDoc	Unique ID (Bates number)	Paragraph	The Document ID number associated with the first page of an email.	The Document ID number associated with the first page of a document
EndDoc	Unique ID (Bates number)	Paragraph	The Document ID number associated with the last page of an email.	The Document ID number associated with the last page of a document.
BegAttach	Unique ID (Bates number) Parent-Child Relationships	Paragraph	The Document ID number associated with the first page of the first attachment to a parent email.	The Document ID number associated with the first page of the first attachment to a parent document.
EndAttach	Unique ID (Bates number) Parent-Child Relationship	Paragraph	The Document ID number associated with the last page of the last attachment to a parent email.	The Document ID number associated with the last page of the last attachment to a parent document.
Pages	Pages	Number	The number of pages for an email.	The number of pages for a document.
DateSent		Date (MM/DD/YYYY format)	The date the email was sent.	For email attachments, the date the parent email was sent.
TimeSent		Time	The time the email was sent.	For email attachments, the time the parent email was sent.
DateReceived		Date (MM/DD/YYYY format)	The date the email was received.	For email attachments, the date the parent email was received.

<u>Field Name</u>	<u>Specifications Field Name</u>	<u>Field Type</u>	<u>Description (Email)</u>	<u>Description (E-Files/Attachments)</u>
TimeReceived		Time	The time the email was received.	For email attachments, the time the parent email was received.
Author	Author Display Name (e-mail)	Paragraph	The display name of the author or sender of an email.	The name of the author as identified by the metadata of the document.
From	Sender (e-mail)	Paragraph	The display name of the author or sender of an email.	The name of the author as identified by the metadata of the document.
To	Recipient	Paragraph	The display name of the recipient(s) of an email.	The display name of the recipient(s) of a document (e.g., fax recipients).
CC	CC	Paragraph	The display name of the copyee(s) of a email.	
BCC	BCC	Paragraph	The display name of the blind copyee(s) of an email.	
Subject	Subject (e-mail)	Paragraph	The subject line of an email.	The subject of a document from entered metadata.
Custodian	Custodian	Paragraph	The custodian of an email.	The custodian of a document.
Other Custodian	Other Custodian	Paragraph	When documents have been globally deduplicated the names of the other custodians who also possessed the documents.	Individual(s) whose documents de-duplicated out.

<u>Field Name</u>	<u>Specifications Field Name</u>	<u>Field Type</u>	<u>Description (Email)</u>	<u>Description (E-Files/Attachments)</u>
FileName	File Name	Paragraph		The name of the file.
CreatedDate		Date (MM/DD/YYYY format)		The created date of the file as identified by the metadata of the document.
DateModified		Date (MM/DD/YYYY format)		The last date the document was modified as identified by the metadata of the document.
FileSize		Number	File size in Bytes.	File size in Bytes.
FileExtension		Paragraph	File extension of the email.	File extension as identified by the metadata of the document.
MD5Hash		Paragraph	Unique identifier associated with the email.	Unique identifier associated with the document as identified by the metadata of the document.

EXHIBIT B

1. Deleted, slack, fragmented, or other data only accessible by forensics.
2. Random access memory (RAM), temporary files, or other ephemeral data that are difficult to preserve without disabling the operating system.
3. On-line access data such as temporary internet files, history, cache, cookies, and the like.
4. Data in metadata fields that are frequently updated automatically, such as last opened dates.
5. Back-up data that are substantially duplicative of data that are more accessible elsewhere.
6. Voice messages.
7. Instant messages or text messages that are not ordinarily printed or maintained in a server.
8. Electronic mail or pin-to-pin messages sent to or from mobile devices (e.g., iPhone and Blackberry devices), provided that a copy of such mail is routinely saved elsewhere.
9. Other electronic data stored on a mobile device, such as calendar or contact data or notes, provided that a copy of such information is routinely saved elsewhere.
10. Logs of calls made from mobile devices.
11. Server, system, or network logs.
12. Electronic data temporarily stored by laboratory equipment or attached electronic equipment, provided that such data is not ordinarily preserved as part of a laboratory report.
13. Data remaining from systems no longer in use that is unintelligible on the systems in use.