

## FW: Summary Outline of our ongoing preservation discussions

---

- *To:* "Andy Pickens (E-mail)" <apickens@gibbs-bruns.com>, "Barrett H. Reasoner (E-mail)" <breasoner@gibbs-bruns.com>, "David J. Noonan (E-mail)" <djn@pkns.com>, "Jean Frizzell (E-mail)" <jfrizzell@gibbs-bruns.com>, "Michael L. Kirby (E-mail)" <dcastro@pkns.com>, "Michael Molland" <MMolland@brobeck.com>, Mike Smith <smith\_mike@teneo-test.com>, "Peter Meringolo" <PMeringolo@brobeck.com>, Richard B. Sanders Esq. (E-mail) <richard.b.sanders@enron.com>, Robert C. Williams (E-mail) <Robert.C.Williams@enron.com>, "Susan Bisop (E-mail)" <sbishop@gibbs-bruns.com>
  - *Subject:* FW: Summary Outline of our ongoing preservation discussions
  - *From:* "Fergus, Gary S." <GFergus@brobeck.com>
  - *Date:* Wed, 08 Apr 2009 10:33:33 +0000
- 

FYI

Thanks

Gary

> -----Original Message-----

> From: Fergus, Gary S.

> Sent: Wednesday, December 20, 2000 2:41 PM

> To: 'Richard Rochman (E-mail)'

> Subject: Summary Outline of our ongoing preservation discussions

> Importance: High

>

> Rich,

> As promised, here is my summary outline of what we discussed

> regarding preservation of data:

>

> 1. In Portland, we proposed to handle business email related to the  
> topics in your preservation letter by instructing employees not to delete  
> any email sent or received for 24 hours. Email that is personal and does  
> not relate to the business topics you have identified can be kept,  
> discarded etc. at the employee's pleasure. Each day there is a backup  
> made that will capture the email in those employees mailboxes. After 24  
> hours, each employee is free to manage their email box as they deem  
> appropriate to the business needs (e.g. keep, discard). From our  
> conversation, I understand that you agree that this is an acceptable  
> procedure.

>

> 2. With respect to the hard drives on individual computers, you would  
> like to get an organizational chart for Portland that would enable us to  
> discuss 6-12 individual's computers that would be copied using ProQuest  
> Drive Image Pro 4.0. In addition, there may be some other individuals  
> that you would like to have us use a software product called Robocopy to

> copy files from their hard drives onto the network. Until we figure out  
> which computers to copy etc. we will not begin this process. We discussed  
> that because of the holiday period, it may not be practical to get this  
> started until after the new year.  
>  
> 3. Outside of Portland, we have proposed making a snapshot backup along  
> business function lines reasonably called for by the subject matter of  
> your request. We propose not to backup any other business units or  
> functions. On a going forward basis, those business functions that  
> related to the subject matter of your request would be instructed not to  
> delete business email.  
>  
> 4. We believe that relevant database backups have been and will  
> continue to be made and preserved.  
>  
> 5. When an employee runs out of hard disk space on their computer, it  
> is an acceptable practice to copy files from their hard disk to the  
> network (where they will be backed up) and then delete those copied files  
> to make sufficient work space for the employee to work.  
>  
> 6. For EES, I explained that their IT services are outsourced so we do  
> not have as detailed information immediately available.  
>  
> As I mentioned on the phone, all of these discussions and efforts being  
> made are done without waiving any objections that any of the Enron  
> entities may have to your request including scope, burden, jurisdiction,  
> relevance, privilege, privacy, vagueness etc. and Enron specifically  
> reserves each and every right and objection it or its employees may have.  
>  
> Please let me know if your general understanding of our conversation is  
> different than the above.  
>  
> Thanks  
> Gary

=====  
This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

To reply to our email administrator directly, send an email to  
postmaster@brobeck.com  
BROBECK PHLEGER & HARRISON LLP  
<http://www.brobeck.com>