

EXHIBIT A

[Proposed Order]

(see attached)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

v.

NORTHRIDGE HOLDINGS, LTD. ET AL.

Defendants.

)
)
) Civil Action No. 19-cv-05957
)

) Hon. John Z. Lee
)

) Magistrate Judge Susan E. Cox
)
)

DISCOVERY ORDER

N. Neville Reid, not individually, but solely as the court-appointed receiver (the “Receiver”) for the Estate of Defendant Northridge Holdings, Ltd. and the related entities and affiliates as set forth in more particularity in the Receivership Order (as defined herein) (collectively, the “Receivership Defendants”) and Defendant Glenn C. Mueller (“Defendant” and collectively with the Receiver, the “Parties” and each a “Party”), having jointly filed a *Motion for Entry of Discovery Order* (the “Motion”),¹ the Court, having reviewed the Motion and for good cause shown, IT IS HEREBY ORDERED THAT:

1. The Motion is granted.

2. The Parties shall jointly instruct IST to segregate the Potentially Privileged Emails for initial review by Defendant. Defendant shall pay IST all costs associated with the segregation, storage and Defendant’s review of the Potentially Privileged Emails. The non-segregated emails shall be referred to herein as the “Non-Potentially Privileged Emails”. The Receiver may review the Non-Potentially Privileged emails and

¹ Capitalized not specifically defined herein shall have the meanings ascribed in the Motion.

any attachments thereto without any restriction whatsoever.

3. Defendant shall designate each email communication and any attachments thereto as Category 1, Category 2, Category 3 or Category 4.

4. With respect to emails and attachments designated as Category 1, Defendant shall provide Receiver a privilege log that complies with the requirements of Federal Rule of Civil Procedure 26(b)(5).

5. With respect to emails and attachments designated as Category 2, the Defendant shall either: (a) to the extent possible, redact the part of the communication and/or attachment that Defendant claims as privileged and turnover to the Receiver the communication as redacted ; or (b) if redaction is not possible/feasible, turnover to the Receiver the entire communication and/or attachment marked “Category 2 Attorney Eyes Only.” For redacted documents under this Paragraph 5(a), Defendant shall provide Receiver a privilege log that complies with the requirements of Federal Rule of Civil Procedure 26(b)(5).

6. With respect to emails and attachments designated as Category 3 or Category 4, Defendant shall identify the same to Receiver and such emails and attachments shall be turned over to the Receiver.

7. Defendant shall make the designations required herein and produce any required privilege log to the Receiver within forty five (45) days of Defendant having been provided access to the Potentially Privileged Emails.

8. Emails and attachments marked “Category 2 Attorney Eyes Only” shall only be reviewed by the Receiver, his attorneys and the Receiver’s Court-approved professionals. Emails and attachments marked “Category 2 Attorney Eyes Only” shall be

kept confidential by Defendant and only reviewed by Defendant and his attorneys. Given the joint privilege attached to such emails, such emails and attachments may not be filed with the Court, or turned over to third-parties, including the government, or otherwise used by either Party without written consent by both Parties or further order of this Court.

9. No claim or right to assert attorney-client privilege or attorney work product with respect to any document or communication reviewed pursuant to this Order shall be considered waived or otherwise compromised by virtue of complying with this Order (e.g. the Receiver has not waived any claim to privilege by virtue of Defendant having reviewed a Category 2 communication).

10. The Receiver reserves the right to challenge any privilege claim made by the Defendant at any time. If the Receiver challenges a claim of privilege, he shall first notify Defendant in writing and attempt to resolve the challenge through a good faith meet and confer meeting (which may be by telephone). If the dispute is not resolved, the Receiver may challenge Defendant's privilege claim by filing a motion with the Court.

11. Likewise, Defendant reserves the right to assert any applicable rights under the Fifth Amendment of the Constitution that may arise in this process. A motion may be filed with the Court to resolve Fifth Amendment disputes.

Hon. John Z. Lee
UNITED STATES DISTRICT JUDGE

Entered: