

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re Flint Water Cases

No. 5:16-cv-10444

HON. JUDITH E. LEVY

MAG. MONA K. MAJZOUB

SCHEDULE A TO SUBPOENA TO PRODUCE DOCUMENTS

To: Dr. Marc Edwards
The Charles Edward Via, Jr. Department of Civil
and Environmental Engineering
Virginia Polytechnic Institute and State University
750 Drillfield Drive
200 Patton Hall
Blacksburg, Virginia 24061

Definitions

1. “And” and “or” as used herein are terms of inclusion and not of exclusion and shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this schedule any document or information that might otherwise be construed to be outside its scope.

2. “Any” shall be construed to include “all,” and “all” shall be construed to include the word “any.”

3. The term “communication” means each manner or means of disclosure, transmittal, or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), email attachments, text message, instant message, MMS or SMS message, regular mail, releases, or otherwise.

4. The term “document” or “documents” is used in the broadest sense permitted by the Federal Rules of Civil Procedure and means documents or electronically stored information—including writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations—stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form. The term “document” includes the original (or a copy thereof if the original is not available) and all copies that differ in any respect from the original or that bear any notation, marking or information not on the original. “Document” shall also include all documents, materials, transmissions and information, including Electronically Stored Information within the meaning of the Federal Rules of Civil Procedure.

5. “Each” shall be construed to include “every,” and “every” shall be construed to include “each.”

6. “Electronically Stored Information” shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, PDAs, computer tablets, or other mobile devices; or other storage media.

7. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

8. “Virginia Tech” refers to Virginia Polytechnic Institute and State University and all departments, subsidiaries and divisions of Virginia Polytechnic Institute and State University.

9. “Virginia Tech Research Team” or “Team” includes Dr. Marc Edwards for any work he did in Flint before the Team was formed, and also refers to the independent research team from Virginia Tech associated with flintwaterstudy.org, including *but not limited to* the Team’s 1) Principal Investigators: Drs. Marc Edwards, Amy Pruden, Joseph Falkinham III; 2) Post-docs/Research Scientists: Drs. Brandi Clark, Dongjuan Dai, Emily Garner, Pan Ji, Sheldon Masters, Jeffrey Parks, Kelsey Picper, William Rhoads, Siddhartha Roy, David “Otto” Schwake, Min Tang, Fei Wang; 3) Graduate Students: Taylor Bradley, Christina Devine, Catherine Grey, Anurag Mantha, Rebekah Martin, Jake Metch, Victoria Nystrom, Colin Richards, Laurel Strom, Owen Strom, Ni “Joyce” Zhu; 4) Undergraduate Students: Madeleine Brouse, Margaret Carolan, Hanniyah Chapman, Kandace Donaldson, Sara Chergaoui, Matthew Dowdle, Kim Hughes, Rebecca Jones, Mariana Martinez, Philip Smith, Alison Vick; and 5) Staff: Cassandra Hockman.

General Instructions

1. Unless otherwise directed in these specifications, the applicable time period for the specifications shall be for documents or physical evidence created or received by you from April 25, 2014 until the date of full and complete compliance with this subpoena.

2. If any material called for by this subpoena is withheld based on a claim of privilege, work product protection, statutory privilege, or any similar claim of protection, the