

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

IN RE: LUMBER LIQUIDATORS  
CHINESE-MANUFACTURED FLOORING  
PRODUCTS MARKETING, SALES  
PRACTICES AND PRODUCTS LIABILITY  
LITIGATION

MDL No. 1:15-md-02627 (AJT/TRJ)

This Document Relates to ALL Cases

**STIPULATED ORDER ESTABLISHING  
ELECTRONIC DISCOVERY PROTOCOL**

**I. SCOPE**

Pursuant to Fed. R. Civ. P. 16, Fed. R. Civ. P. 26(f) and the Court's Pretrial Order #1 (Doc. No. 10), the parties have conferred regarding matters affecting the discovery of electronically stored information ("ESI" or "E-discovery") and agreed on the following procedures regarding the production of ESI in this case, which the Court finds appropriate.

This protocol shall apply to all cases currently pending in MDL No. 2627 and to all related actions that have been or will be originally filed in, transferred to, or removed to this Court and consolidated as part of MDL No. 2627. Nothing herein shall enlarge or affect the proper scope of discovery in the MDL, nor shall anything herein imply that any documents or ESI collected or produced under the terms of this protocol are properly discoverable, relevant, or admissible in these actions or in any other litigation.

**II. DEFINITIONS**

**A. "Electronically stored information" or "ESI,"** as used herein, has the same meaning as contemplated by the Federal Rules of Civil Procedure.

**B. "Native data format"** means and refers to the format of ESI in which it was

originally generated and/or normally kept by the producing party in the usual course of its business and in its regularly conducted activities.

**C. “Metadata”** means and refers to information about information or data about data, and includes without limitation (i) information embedded in or associated with a native file that is not ordinarily viewable or printable from the application that generated, edited, or modified such native file which describes the characteristics, origins, usage and/or validity of the electronic file and/or (ii) information generated automatically by the operation of a computer or other information technology system when a native file is created, modified, transmitted, deleted or otherwise manipulated by a user of such system.

**D. “Static Image”** refers to a representation of ESI produced by converting a native file into standard image format capable of being viewed and printed on standard computer systems.

**E. “Documents”** has the meaning contemplated in the Federal Rules of Civil Procedure.

**F. “Media”** means an object or device, real or virtualized, including but not limited to a disc, tape, computer or other device, on which data is or was stored.

**G. “Substantial Completion,”** which cannot be defined precisely in advance, shall be the subject of good faith discussions as discovery proceeds, and any dispute shall be presented forthwith to the Magistrate Judge in a joint brief.

### **III. SEARCH TERMS**

The parties will cooperate regarding the disclosure and formulation of appropriate search terms and protocols for use in the review and production of ESI.

**A. Disclosure of records custodians and relevant systems.**

**1. Defendant's Disclosures:**

Defendant will disclose to Plaintiffs: a) a list of the most likely custodians of relevant documents and/or ESI, including a personnel chart showing the department in which each custodian worked and each person's title, if any; b) a list of the most likely relevant databases, if any, likely to contain documents or ESI, including a brief description of the database; and c) a list of any potential relevant source of documents or ESI that the disclosing party believes is not reasonably accessible, including a brief description of the source and the reason it believes the data is not reasonably accessible.

**B. Defendant's initial search terms, including semantic synonyms and record custodians.**

Plaintiffs will provide a list of search terms they believe are most likely to capture relevant information to be run on agreed collections of ESI. Within five business days of receipt of the list of search terms, and based on currently known information, Defendant will disclose any known semantic synonyms to the requested search terms. Semantic synonyms shall mean without limitation code words, terms, phrases or illustrations, acronyms, abbreviations, or non-language alphanumeric associational references to relevant ESI, or information that may lead to relevant ESI. Plaintiffs also will designate the records custodians of Defendant from which Plaintiffs want ESI. Plaintiffs' initial designation shall not exceed 15 records custodians.

**C. Formulation and testing of search terms on Defendant's ESI.**

1. After agreement between the parties on an initial set of terms to test and agreement on the initial set of records custodians, the Defendant will run the search terms against the agreed upon collection of ESI from the designated records custodians and generate a preliminary report that identifies the total numbers of records searched, and the total number of

responsive records (i) for the combined list of search terms, and (ii) for each search term individually.

2. If necessary, the parties will meet and confer to revise the search terms in order to avoid an unduly burdensome production or retrieving a high number of non-responsive ESI. No later than one week after Defendant provides Plaintiffs with the search term report described above Plaintiffs will provide Defendant a revised list of search terms.

3. Defendant will run the revised search terms against the ESI collected for the designated records custodians and produce the responsive, non-privileged material on a rolling basis in accordance with the Court's scheduling order.

**D. Additional custodians and search terms.**

No later than than (a) December 4, 2015 as to defendant's production in response to lead plaintiffs' first requests for production, and (b) 14 days after Defendant substantially completes production of other ESI contemplated above, Plaintiffs will provide (i) the identities of up to 10 additional custodians or distinct sources (not to include servers); and (ii) an agreed-to number of additional search terms. Defendant will run, subject to objection, both the initial and the supplemental search terms against the ESI collected for all designated custodians/sources and produce any additional responsive, non-privileged materials in 30 days in accordance with Fed. R. Civ. P. 34. Defendant's agreement to search for and produce additional information from custodians designated pursuant to Section III.B or from newly designated custodians shall not constitute agreement for any re-deposition of witnesses previously deposed in this litigation. Any disputes over additional custodians or terms pursuant to this paragraph shall, after meet and confer, be presented to the Magistrate Judge in a joint brief within ten days after notification by Defendant to Plaintiff of its objection to the search term or custodian.

The parties will continue to meet and confer regarding any search process issues as necessary and appropriate. This ESI protocol does not address or resolve any other objection to the scope of the parties' respective discovery requests.

**E. ESI Production From Plaintiffs**

Defendant will provide to Plaintiffs a list of not more than twenty search terms they believe are most likely to capture relevant information to be used to collect ESI. If necessary, the parties will meet and confer to revise the search terms in order to avoid an unduly burdensome collection or production.

**IV. FORMAT OF PRODUCTION**

**A. Document Image Format.**

Per Lumber Liquidators' request, the parties will produce Documents and ESI in Tagged Image File Format ("TIFF") subject to Sections IV.B and IV.C below. For documents that do not contain redactions, the producing party will produce an extracted text (.TXT) file containing searchable text for each electronic document and an Optical Character Recognition ("OCR") text file for each imaged paper document along with image load files. For documents that contain redactions, the producing party will provide an OCR text file for the unredacted portions of such documents. Every TIFF file in each production must be referenced in the production's corresponding load file. The total number of TIFF files referenced in a production's load file should match the number of TIFF files in the production. Metadata load files should contain, if available, the non-privileged metadata in Appendix A. The parties are not obligated to populate manually the fields in Appendix A that cannot be extracted from a document, with the exception of the CUSTODIAN, and TIMEZONEPROCESSED, which shall be populated by the producing party. Load files of the static images should be created and produced together with their

associated static images to facilitate the use of the produced images by a document management or litigation support database system.

**B. Production of Excel, PowerPoint, MS Access and MS Project Files.**

Unless such materials contain privileged or redacted information, Excel, PowerPoint, and Project Files will be produced in native format. If PowerPoint, MS Access, or MS Project files, however, contain privileged or redacted information, they need not be produced in native format but shall be produced with the extracted text and metadata fields set forth in this Order, except to the extent the extracted text or metadata fields are themselves redacted. Excel Files that contain privileged information should be produced as an Excel file in a manner that does not prevent Excel functions from performing, but with privileged information redacted.

**C. Production of Structured Data.**

To the extent a response to discovery requires production of discoverable electronic information contained in a database, in lieu of producing the database, the parties shall meet and confer to seek to agree upon a set of queries to be made for discoverable information and generate a report in a usable and exportable electronic file (*e.g.*, Excel or CSV format) for review by the requesting party or counsel. Upon review of the report(s), the requesting party may make reasonable requests for additional information to explain the database schema, codes, and formats or to request specific data from identified fields.

If a producing party asserts that certain requested ESI is inaccessible or otherwise unnecessary under the circumstances, or if the requesting party asserts that, following production, certain ESI is not reasonably usable, the parties shall meet and confer to discuss resolving such assertions. If the parties cannot resolve any such disputes after such a meet and confer has taken place, the issue shall be presented to the Court for resolution.

**D. Document Unitization and Load Files.**

For files not produced in their native format, each page of a document shall be electronically saved as an image file. If a document consists of more than one page, the unitization of the document and any attachments and/or affixed notes shall be maintained as it existed in the original when creating the image files.

The producing party shall produce a unitization file (“load file”) for all produced Documents in accordance with the following formatting, including a separate load file for native Documents:

**Document Unitization Load File:**

- Document productions should include Concordance document load files.
- Document Image productions and Native Document productions shall receive separate load files.
- Metadata provided in a delimited file as described below under the subheading of “Metadata Load File.”

**OCR and Extracted Text Load File:**

In addition to the document load file, where applicable, a separate load file will be included for the purposes of loading the OCR or Extracted text of the document into the electronic review platform. This load file will be in the following format:

- Every row must have 2 columns/fields
  - First column/field must contain the BATES number for the document
  - Second column/field must contain the relative path and file name of the TXT file (for example \\VOL001\001\ABC001.txt)
- Text must be encoded in ascii, except where documents contain characters requiring UTF-8 in order to be read. Such documents shall be produced in UTF-8 format.
- Values must be enclosed by double quotes (ascii character 34)
- Values must be separated by a comma (ascii character 44)

**OCR and Extracted Text Files (.TXT Files):**

- Single text file per document containing all the document's pages
- Pages separated by form feed character (decimal 12, hex 0xC)
- Filenames should be of the form:  
<Bates num>.txt  
Where <Bates num> is the BATES number of the first page in the document.
- Text must be encoded in ascii, except where documents contain characters requiring UTF-8 in order to be read. Such documents shall be produced in UTF-8 format.

**Images Files:**

- Single page per image
- Single image per file
- TIFF is default FORMAT unless the following formats are agreed to: jpeg, jpeg2000, giff, png, single image tiff, and bmp
- Filenames should be of the form:  
<Bates num>.<ext>  
Where <Bates num> is the BATES number of the page, and <ext> is the appropriate extension for the image format (.jpg, .tif, .png, etc)

**Metadata Load Files:**

- Comma Separated Value (.CSV) files (commonly .DAT files)
- First line must contain the column/field names
- Every row must have the same number of columns/fields (empty values are acceptable)
- Text must be encoded in ascii
- Values must be enclosed by ascii character 254
- Multiple entries in a field must be separated by ascii character 174
- New line value in data must be indicated by ascii character 059
- Values must be separated by ascii character 020

**E. Duplicates.**

Where a producing party has more than one identical copy of an electronic document (*i.e.*, the documents are exact duplicates as that term is used in the electronic discovery field), the producing party need only produce a single copy of that document (as long as all family relationships are maintained). A party may de-duplicate ESI across each party's custodians or sources, but if that option is exercised, the producing party must identify each custodian or source where the document was located in a coding field. De-duplication will be based on MD5 hash values.

**F. E-Mail Thread Analysis.**

Email thread analysis may be used to reduce the volume of e-mails reviewed and produced, provided that the parties disclose such use. The produced e-mails must include all of the responsive information from a thread, including attachments.

**G. System and Program Files.**

System and program files defined on the NIST list need not be processed, reviewed or produced. Additional files may be added to the list of excluded files by mutual agreement of the parties.

**H. Color.**

For files not produced in their native format, if an original document contains color, the producing party may produce black and white image(s). At the request of the receiving party, the parties shall meet and confer regarding production of color image(s) for specific documents.

**I. Bates Numbering.**

1. Document Images. Each page of a produced Document shall have a unique page identifier ("Bates Number") electronically "burned" onto the image at a location

that does not unreasonably conceal, or interfere with any information from the source document. Any confidentiality legend shall be “burned” onto each document’s image at a location that does not unreasonably obscure any information from the source document. Redacted documents will be so identified by electronically “burning” the legend “Redacted” onto each document’s image at a location that does not unreasonably obscure any information from the source document.

2. Native Format Documents. Documents produced in Native Format will be produced with a placeholder TIFF image. Each TIFF placeholder will contain the Bates number and confidentiality designation, if any.

**J. Production Media.**

Documents shall be produced by FTP site or on CD-ROM, DVD, external hard drive (with standard PC compatible interface), or such other readily accessible computer or electronic media as the parties may hereafter agree upon (the “Production Media”). Each item of Production Media shall include: (1) text referencing that it was produced in this MDL, (2) production date, and (3) the Bates range contained on such Production Media item.

**K. Attachments.**

Email attachments and embedded files or links must be mapped to their parent by the Document or Production number. If attachments and embedded files are combined with their parent documents, then “BeginAttach” and “EndAttach” fields listing the unique beginning and end number for each attachment or embedded document must be included.

**L. Embedded Objects.**

Objects embedded in Microsoft Word and .RTF documents, which have been embedded with the “Display as Icon” feature, will be extracted as separate documents and treated like

attachments to the document. Other objects embedded in documents shall be produced as native files.

**M. Compressed Files.**

Compression file types (*i.e.*, .CAB, .GZ, .TAR, .Z, .ZIP) shall be decompressed in a reiterative manner to ensure that a zip within a zip is decompressed into the lowest possible compression resulting in individual folders and/or files.

**V. OBJECTIONS TO ESI PRODUCTION**

**A.** Documents that present imaging or format production problems shall be promptly identified and disclosed to the requesting party; the parties shall then meet and confer to attempt to resolve the problems.

**B.** If either party objects to producing the requested information on the grounds that such information or production in the requested format is not reasonably accessible because of undue burden or cost, before asserting such an objection, the responding party will inform the requesting party of the format, if at all, in which it is willing to produce it, the nature and location of the information claimed to not be reasonably accessible, the reason(s) the requested form of production would impose an undue burden or cost, and afford the requesting party 10 business days from receipt of such notice to propose an alternative means of production. Notwithstanding anything contained herein to the contrary, a producing party shall not produce ESI in a format not requested or designated by the requesting party (i) unless the parties have met and conferred, and, having been unable to resolve such format production conflict at such meet and confer session, (ii) prior to referral to and resolution of such issue by the court.

**VI. PRIVILEGE AND WORK PRODUCT CLAIMS**

**A. Privilege Log Format and Timing.**

Any non-automated privilege log shall include Bates document number (or document identification), date of the document, author(s), recipient(s), the subject of the document, a description of the document, and an explanation of privilege(s) being asserted with respect to the document. Any automatic privilege logs under Section VI.B. below shall be produced within 5 business days of the date when particular privileged documents would have been available for production. Any non-automated privilege logs shall be produced within 20 days of a party's substantial completion of its production of documents in response to a Rule 34 request or set of requests.

**B. In-House Counsel or Outside Counsel.**

Lumber Liquidators may use the following protocol to isolate and log electronic documents and their attachments involving in-house counsel whose primary role at the company is legal, or outside counsel retained by the company, provided that it (i) takes reasonable effort to ensure that automatically-generated messages in counsel communications (such as disclaimers automatically inserted as email footers) will not cause the filter to screen communications on the basis that the search terms listed in Section VI.B.(2) appear only in the automatically generated language, and (ii) discloses in advance to the Plaintiffs the efforts to be used, including disclosing any additional search terms to be applied in order to identify counsel communications containing automatically generated language that includes one or more of the terms listed at Section VI.B.(2):

(1) Lumber Liquidators will disclose to the receiving party the names and full business titles of in-house counsel whose primary role at the company is legal.

(2) The following search terms will be applied to ESI in which one or more names of counsel appear anywhere in the document, including associated metadata, to isolate potentially privileged communications:

- a) defense strategy
- b) joint defense
- c) work product
- d) work-product
- e) attorney /3 client
- f) advice /5 (counsel or lawyer\* or attorney\*)
- g) affidavit\*
- h) deposition\*
- i) privilege\*
- j) lawsuit\*
- k) litigation\*
- l) MDL
- m) class /2 action\*
- n) pleading\*
- o) allegation\*
- p) DOJ
- q) subpoena\*
- r) attorney\* general\*
- s) plaintiff\*

Lumber Liquidators may use other terms in addition to the terms listed in this section subject to prior notice and written agreement with Plaintiffs.

(3) A log of the documents resulting from the electronic privilege search will be generated from the following metadata fields to the extent they exist as electronic metadata associated with the original electronic documents, and Lumber Liquidators shall produce such logs to Plaintiffs:

- a) MSFILE\_AUTHOR
- b) MSFILE\_CREATION TIME
- c) MSFILE\_SUBJECT
- d) OL/LN\_SENDEERNAME
- e) OL/LN\_RECIPIENTS
- f) OL/LN\_CC
- g) OL/LN\_BCC
- h) OL/LN\_SUBJECT
- i) OL/LN\_SENT
- j) OL/LN\_RECEIVEDTIME

(4) With respect to the MDFILE\_SUBJECT or OL\_SUBJECT field, the parties may substitute a description of the communication where the content of these fields may reveal privileged information.

(5) The documents identified from the above-described automated search need not be reviewed before being logged and withheld from production, or at any time thereafter except as required by Subsections (6) and (7) below.

(6) After production of each automated log, Lumber Liquidators will immediately review the following two categories of documents that were deemed privileged or work product on an automated basis to manually determine whether such documents are indeed protected from disclosure by privilege or work product: (a) documents in which an attorney is not the author or direct recipient of the document (*e.g.*, does not appear on the “To” or “From” field in an e-mail); and (b) documents addressed in Section VI.B.(8) below. Lumber Liquidators will produce any documents for which it withdraws any automated protection within 20 days of the relevant automated privilege log.

(7) Should the Plaintiffs in good faith have reason to believe a particular entry on the metadata-generated log does not reflect a privileged document, Plaintiffs may request and Lumber Liquidators will generate a privilege log for that entry to be produced within one week of the request.

(8) Where a document has been sent, received, or otherwise distributed to a person who is not counsel for, or an employee of Defendant, Lumber Liquidators shall identify each such person with enough information to allow Plaintiffs to assess whether disclosure of the document constitutes waiver of the privilege asserted.

**C. Clawback.**

The production of documents (including both paper documents and electronically stored information) subject to protection by the attorney-client privilege and/or protected by the work-product, joint defense or other similar doctrine, or by another legal privilege protecting information from discovery, shall not constitute a waiver of any privilege or other protection, provided that the producing party notifies the receiving party, in writing, of the production after its discovery of the same.

(1) If the producing party notifies the receiving party after discovery that privileged materials (hereinafter referred to as the “Identified Materials”) have been produced, the Identified Materials and all copies of those materials shall be returned to the producing party or destroyed or deleted, on request of the producing party. If the receiving party has any notes or other work product reflecting the contents of the Identified Materials, the receiving party will not review or use those materials unless the court later designates the Identified Materials as not privileged or protected.

(2) The Identified Materials shall be deleted from any systems used to house the documents, including document review databases, e-rooms and any other location that stores the documents. The receiving party may make no use of the Identified Materials during any aspect of this matter or any other matter, including in depositions or at trial, unless the documents are later designated by a court as not privileged or protected.

(3) The contents of the Identified Materials shall not be disclosed to anyone who was not already aware of the contents of them before the notice was made.

(4) If any receiving party is in receipt of a document from a producing party, which the receiving party has reason to believe is privileged, the receiving party shall in good faith take reasonable steps to promptly notify the producing party of the production of that document so that the producing party may make a determination of whether it wishes to have the documents returned or destroyed pursuant to this Order.

(5) The party returning the Identified Materials may move the Court for an order compelling production of some or all of the material returned or destroyed, but the basis for such a motion may not be the fact or circumstances of the production.

(6) The parties agree that this Order is an Order entered under Rule 502(d) of the Federal Rules of Evidence and thus the disclosure of Inadvertent Materials is not a waiver of the privilege in any other federal or state proceeding.

(7) This agreement does not constitute a concession by any party that any documents are subject to protection by the attorney-client privilege, the work product doctrine or any other potentially applicable privilege or doctrine. This agreement also is not intended to waive or limit in any way either party's right to contest any privilege claims that may be asserted with respect to any of the documents produced except to the extent stated in the agreement.

**VII. LIMITED 28 U.S.C. § 1920 WAIVER**

In consideration of this Protocol, the parties waive any claim under 28 U.S.C. § 1920 for the reimbursement of any and all costs incurred for converting near-native documents to TIFF format. Without waiver of and with all parties retaining their right to argue whether such costs should be taxable, the parties also agree that any and all costs incurred for converting native files into near-native format be capped at \$150 per gigabyte of data should the Court determine that costs incurred for converting native files into near-native format are taxable. Nothing herein constitutes an acknowledgement (implicit or otherwise) by any party that ESI-related costs are taxable under 28 U.S.C. § 1920.

**VIII. MISCELLANEOUS**

A. This Order is not intended to govern any protections or restrictions related to the production of privileged litigation material which are separately addressed in an agreed Confidentiality Order.

**B.** Any documents recalled due to this Order's clawback provision shall have a specific protocol followed to ensure all copies of each such document are appropriately removed from the review system of the opposite party as set forth in Section VI.C.(2) above.

**C.** In the event of individual issues that arise with regard to the identification and production of ESI and ESI-related information, as set forth in this Order, any practice or procedure provided for herein as to such identification and/or production may be varied by written agreement of the parties where such variance is deemed appropriate to facilitate the timely and economical exchange of documents, ESI or ESI-related information. The parties shall meet and confer in the event of any dispute over the need for or nature of such variance in practice or procedure, in an effort to reach agreement prior to informing the Court of any unresolved issues.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

DATED: October 8, 2015

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PURSUANT TO STIPULATION, AND THE COURT FINDING IT APPROPRIATE,  
IT IS SO ORDERED.

October 20, 2015  
Alexandria, Virginia

/s/  
THOMAS RAWLES JONES, JR.  
United States Magistrate Judge

**APPENDIX A**

	<b>FIELD</b>	<b>FIELD NAME</b>	<b>DEFINITION</b>	<b>DOC TYPE</b>
1	SOURCE	SOURCE	Name of the party producing the document/data	ALL
2	CUSTODIAN OR NON-CUSTODIAL SOURCE	CUSTODAN	Name of the person from whose files the document/data is being produced or name of data source location if not associated with single custodian	ALL
3	BEGINBATES	BEGBATES	Beginning Bates Number (production number)	ALL
4	ENDBATES	ENDBATES	Ending Bates Number (production number)	ALL
5	FILEPATH	FILEPTH	File source path for all electronically collected documents which includes location, folder name, any subfolder names, file name, and file source extension (FILEPATH to be produced only where available)	ALL
6	NATIVELINK	NATILINK	Field containing link to native file	ALL
7	TEXTPATH	TEXTPTH	File path for OCR or Extracted Text files	ALL
8	FROM	FROM	Sender	EMAIL
9	TO	TO	Recipient	EMAIL
10	CC	CC	Additional Recipients	EMAIL
11	BCC	BCC	Blind Additional Recipients	EMAIL
12	SUBJECT	SUBJECT	Subject line of Email	EMAIL
13	PARENTBATES	PARENTID	BeginBates number for the parent email of a family (will not be populated for documents that are not part of a family)	EMAIL
14	BEGATTACH	BEGATTCH	First Bates number of a family range ( <i>i.e.</i> , Bates number of the first page of the parent email)	EMAIL
15	ENDATTACH	ENDATTCH	Last Bates number of a family range ( <i>i.e.</i> , Bates number of the last page of the last attachment)	EMAIL
16	DATESENT (mm/dd/yyyy)	DATESENT	Date sent	EMAIL
17	DOCTYPE	DOCTYPE	Document type ( <i>e.g.</i> , .doc, .pst, .ppt, .xls, .pdf)	EDOCs
18	AUTHOR	AUTHOR	Creator of document	EDOCs
19	MD5HASH	MD5HASH	MD5 hash value of document	EDOCs

**CERTIFICATE OF SERVICE**

I hereby certify that on October 8, 2015, a true and correct copy of the foregoing was filed electronically with the Clerk of this Court using the CM/ECF system, in accordance with the Local Rules and the procedures adopted in the Initial Order and Pretrial Order No. 1A. This filing will cause a copy of the same to be served, via a Notice of Electronic Filing, upon counsel of record who have consented to electronic service in this matter. Additionally, a true and correct copy of the foregoing was served by U.S. Mail on the following:

**Berg v. Lumber Liquidators, Inc. et al., No. 1:15-cv-2716**

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**Jacek v. Lumber Liquidators, No. 1:15-cv-3985**

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**Karriem v. Lumber Liquidators, Inc., No. 1:15-cv-2765**

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**Loup v. Lumber Liquidators, Inc. et al., No. 1:15-cv-2733**

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**Parnella v. Lumber Liquidators, Inc. et al., No. 1:15-cv-2736**

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