

Computer Forensic Protocol  
(Proposed)

- (1) Within ten (10) business days of this order, the “Trenk Defendants” — Trenk DiPasquale, Elnardo Webster and Jodi Luciani — shall prepare and produce a complete list of all devices, whether considered a business device or personal device (hereinafter “Devices”), capable of storing electronic data used by any of the Trenk Defendants and/or employees and staff, to conduct business, or to correspond in any way regarding business during the period of June 1, 2006 through June 30, 2013 (the “Period”). For each identified Device, the following information shall be provided: (i) the owner(s) of the Device during the Period, (ii) the user(s) of the Device during the Period, (iii) the current status of the Device (e.g., currently in use, archived equipment, etc.), (iv) the current location, if known, otherwise an explanation as to why the location is not known, (v) whether the Device was used for mixed purposes (personal and business), (vi) all email accounts utilized through the Device during the Period, and (vii) the account domain owner(s) for all identified email accounts. In addition, the Trenk Defendants shall prepare and produce a complete list of all technology software used by the Trenk Defendants on any identified Device, during the Period. For each identified technology software, the following information shall be provided: (i) the trade name of the software (i.e., Microsoft Word, Microsoft Outlook, etc.), (ii) the entity that created/produced the technology software, (iii) the version(s) used, (iv) the time periods each version was used, (v) the deployment method for the software, (vi) the storage location(s) of data created, received or transmitted through the use of the technology software. Also, the Trenk Defendants will identify all outside vendors or consultants used or retained by the Trenk Defendants at any point during the Period to manage, access, oversee, backup, maintain or otherwise protect the electronic information on the identified Devices.
- (2) Within ten (10) business days of this order, Webster and Luciani shall prepare and produce a complete list of all Devices, whether considered a business device or personal device, capable of storing electronic data, that Webster, Luciani, or any of

the employees or staff on behalf of Webster and or Luciani, have used or accessed at Inglesino, Webster, Wyciskala & Taylor LLC (the “Inglesino Firm”) that may have stored any electronic information relating in any way to Webster’s and/or Luciani’s representation of the NWCDC. For each identified Device, the following information shall be provided: (i) the owner(s) of the Device, (ii) the user(s) of the Device, (iii) the current status of the Device (e.g., currently in use, archived equipment, etc.), (iv) the current location, if known, otherwise an explanation as to why the location is not known, (v) whether the Device was used for mixed purposes (personal and business), (vi) all email accounts utilized through the Device, and (vii) the account domain owner(s) for all identified email accounts. In addition, Webster and Luciani shall prepare and produce a complete list of all technology software used by the Inglesino Firm on any identified Device. For each identified technology software, the following information shall be provided: (i) the trade name of the software (i.e., Microsoft Word, Microsoft Outlook, etc.), (ii) the entity that created/produced the technology software, (iii) the version(s) used, (iv) the time periods each version was used, (v) the deployment method for the software, (vi) the storage location(s) of data created, received or transmitted through the use of the technology software. Also, Webster and Luciani will identify all outside vendors or consultants used or retained by the Inglesino Firm to manage, access, oversee, backup, maintain or otherwise protect the electronic information on the identified Devices.

- (3) Within ten (10) business days from the production of the information outlined in (1) through (2) above, counsel for the NWCDC shall raise to the Court on notice to the Trenk Defendants all objections or concerns regarding the adequacy of the Trenk Defendants’s responses to (1) and (2). Counsel for the NWCDC shall also identify the expert forensics firm (“Expert”) that will be used to conduct the data recovery and forensic analysis.
- (4) Within five (5) business days from the identification of the Expert and any objections to the responses provided by the Trenk Defendants in (1) and (2) above, the Trenk Defendants shall raise to the Court on notice to NWCDC counsel all objections to the identified Expert.

- (5) The Court will conduct a conference to address and resolve all objections or concerns raised by either the Trenk Defendants or the NWCDC counsel.
- (6) Within five (5) business days of the resolution of the objections and concerns by the Court, the Trenk Defendants shall make available for forensic analysis and data recovery to be conducted by the Expert all Devices and technology software identified in (1) and (2) unless excluded by the Court, and any additional Devices or software added to the list as a result of the court conference.
- (7) The Expert will conduct searches in accordance with the search parameters described in Schedule A (attached to this order) and run all other forensic programs deemed necessary to ensure the complete collection of all relevant information, both electronic data and metadata (“Search Parameters”).
- (8) Included as part of the Search Parameters, the Expert also will conduct whatever searches and/or run other appropriate programs to determine whether any emails or documents have been deleted, destroyed, altered, or otherwise compromised since June 1, 2006, and whether any programs have been installed that would alter, destroy, erase, modify, or otherwise compromise any portion of each Device or its contents as of June 1, 2006. The Expert also will be permitted to conduct such search efforts as are necessary to form an opinion as to what procedures, if any, were put into place to preserve emails and documents as of June 1, 2006 or thereafter.
- (9) Regarding the recovery of emails responsive to the Search Parameters, the recovery will include all emails in any form whatsoever including, but not limited to, deleted emails, forwarded emails, copied (“cc”) and blind-copied (“bcc”) emails and draft emails. The recovery will include all attachments to those emails.
- (10) Regarding the recovery of documents responsive to the Search Parameters, the recovery will include all documents including drafts, multiple versions, and final versions.
- (11) The Expert will securely maintain the original data recovered in order to establish a chain of custody.

- (12) Within five (5) business days of the completion of the technology examination, the Expert will produce a copy of the recovered data to the Trenk Defendants' counsel. The Expert will also produce to both the Trenk Defendants' counsel and to counsel for the NWCDC the results of the forensic analysis conducted pursuant to paragraph 8 above.
- (13) Within ten (10) business days from receipt of the copy of the recovered data counsel for the Trenk Defendants will review the data to identify all claims of privilege or other objection to production that the Trenk Defendants wish to assert. At the conclusion of the review, counsel for the Trenk Defendants will prepare and provide to counsel for the NWCDC: (i) a log of claims of privilege or other objection as to emails ("Privileged Email Log") including the identity of the email, the sender and recipient (and all individuals identified in the "cc" and "bcc" fields), the date sent, the nature of the privilege, a general description of the email and the basis for asserting the privilege; and (ii) a log of claims of privilege or other objection as to personal emails ("Personal Email Log") including the identity of the email, the sender and recipient (and all individuals identified in the "cc" and "bcc" fields), the date sent, a general description of the email and the basis for claiming it is a personal email; and (iii) for all other documents and electronic information, a log of claims of privilege or other objection as to documents/information ("Privileged Document/Information Log") including the identity of the document/information, the author(s) of the document/information, the recipient(s) of the document/information, the date the document/information was created, the subject matter of the document/information, if applicable, a general description of the document/information, and the basis for claiming it is privileged.
- (14) Within two (2) business days after either the Trenk Defendants serve the Logs described in paragraph 13 or the time for the service of the Logs expires, the Expert shall produce to counsel to the NWCDC all electronic information recovered by the Expert, which is not identified on any Log as being subject to a claim of privilege or other objection to discovery.

- (15) If counsel for the NWCDC disagree with the assertion of any privileges on the Logs, the parties shall submit to the court the disputed documents and Logs for the court to view in camera and determine whether the documents must be produced.
- (16) The Trenk Defendants shall be responsible for all fees, costs and expenses associated with gathering the Devices and transmitting them to the Expert, where applicable.
- (17) The NWCDC will be responsible for the fees, costs and expenses of the Expert, provided that, to the extent that the Expert recovers any electronic information through searches conducted in accordance with the Search Parameters that was not previously produced to counsel for the NWCDC, the court may shift all or some portion of these fees, costs and expenses.
- (18) The court reserves the right to revise the cost allocation based upon the totality of facts and circumstances that unfold relating to this order and the efforts by the Expert to conduct a thorough and complete analysis of the identified technology.
- (19) Except as provided for in this order, the Expert is hereby enjoined from disclosing any electronic information obtained as a result of the analysis and search conducted pursuant to this order.
- (20) The parties understand and agree that this order addresses the preliminary scope for the computer production and forensic analysis. If the initial production and analysis determines that additional searches are necessary, either party may petition the court through a letter to the court rather than a formal motion to revisit the scope of this order.

### SCHEDULE A

It is understood that the Search Parameters outlined below are preliminary in nature. They represent the initial effort to fashion searches to both guide and limit the Expert during the forensic analysis outlined above. The goal is to ensure the Expert can conduct a comprehensive analysis of the technology subject to the search while simultaneously excluding all electronic information unrelated to, and unconnected with, the NWCDC. As such, the Search Parameters may be revised, altered or expanded by agreement between the parties, or, if suggested by the Expert, by the court.

1. The Search Parameters shall be limited in time to only the electronic information created, received, sent, used, reviewed, modified and/or deleted between the Period.
2. The Search Parameters include searches for all documents authored by Elnardo Webster, whether or not Webster created the electronic document. This includes all electronic information created by any and all employees or staff on behalf of, or at the direction of, Webster.
3. The Search Parameters include searches for all documents authored by Jodi Luciani, whether or not Luciani created the electronic document. This includes all electronic information created by any and all employees or staff on behalf of, or at the direction of, Luciani.
4. The Search Parameters include searches for all emails to/from any Trenk principal, employee or staff where the email contains any reference to any party named in the complaint (or subsequent amendments) in this matter.
5. The Search Parameters include searches for all emails to/from any Trenk principal, employee or staff where the email contains any reference to any party (in any form, long, short or abbreviated) to this matter and one or more of the following terms:
  - Watershed
  - Webster
  - Joni
  - NWCDC
  - Jodi
  - Noble
  - Elnardo
  - Luciani
  - Brashear

- Linda
- Bernard
- Porter
- African American Heritage
- AAHP
- New Beginnings
- Fresh Start
- Oscar James
- DaWayne
- Essex Home Improvement
- Danielle Hill
- Dmart
- EDIT
- Edit Interiors
- Arocho
- Orocho
- Municipal Utilities Authority
- MUA
- severance
- hog wild
- Newark Water Group
- Comptroller
- US Attorney
- bylaws
- charter
- minutes
- audit
- public finance
- public financing
- Belcher
- Frye
- McCoy
- Gleaton
- Burnett
- Tyesha
- Dollar
- Lee
- NW Financial
- securities
- stock
- trade
- Beckmeyer
- Ferguson
- Medina
- Medinah
- 21 William
- 24 William
- Mindshare
- Synergy
- Keep it clean
- Keep it green
- cleaner & greener
- greener & cleaner
- landscaping
- snow removal
- security
- princeton public affairs
- 42 parking
- Ekko Interiors
- chilton
- investigation
- campaign
- city council
- city hall
- mayor
- Cory
- Booker
- Pablo Fonseca
- Zack
- Zach
- Modia Butler
- Genova Burns
- Angelo Genova
- James Burns
- Frank Giantomasi