

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

United States of America, *et al.*,

Plaintiffs,

v.

Google LLC,

Defendant.

Case No. 1:20-cv-03010-APM

HON. AMIT P. MEHTA

State of Colorado, *et al.*,

Plaintiffs,

v.

Google LLC,

Defendant.

Case No. 1:20-cv-03715-APM

HON. AMIT P. MEHTA

**JOINT STATUS REPORT**

In accordance with the Court's Minute Order of April 19, 2021, the parties in *United States v. Google LLC* and *State of Colorado v. Google LLC* submit the following Joint Status Report to update the Court on the status of discovery and whether any issues remain in dispute.

**I. Case No. 1:20-cv-03010**

**A. Google's Discovery of Plaintiffs**

A summary of Google's First Set of Requests for Production and the document productions made by Plaintiffs prior to March 26 are set forth in the parties' earlier Joint Status Reports, including their report dated February 23 (ECF No. 111) and their report dated March 26

(ECF No. 124). On April 9, Plaintiff United States produced its third set of documents in response to Google's First RFP. The production contains approximately 3,700 documents and includes correspondence with subpoena recipients regarding this litigation.

**B. Plaintiffs' Discovery of Google**

*Document and Data Production.* A summary of Plaintiffs' First and Second Sets of Requests for Production and the document productions made by Google prior to March 26 are set forth in the parties' earlier Joint Status Reports, including their report dated February 23 (ECF No. 111) and their report dated March 26 (ECF No. 124). Google produced documents in response to Plaintiffs' First and Second RFP on March 28 (150,000 documents), April 5 (196,000 documents), and April 19 (120,000 documents). The three productions contain approximately 467,000 documents. Google produced data in response to Plaintiffs' Second RFP on March 26, March 30, March 31, and April 9. Google attempted to produce additional data in response to Plaintiffs' Second RFP, but the files were too large to accept through electronic transfer. Google indicates that it will now produce that data on a hard drive.

*Search Term and Custodial Searches.* On April 22, the parties reached final agreement on the search protocol (including search terms, custodians, and dates) to be used by Google for those portions of Plaintiffs' Second RFP that Google has chosen to address with keyword and custodial searches. This agreement includes resolution of the disputes presented by Plaintiffs in the Joint Status Reports dated March 18 (ECF No. 118) and March 26 (ECF No. 124).

*Open Discovery Issues.* The parties are continuing to meet and confer regarding the non-custodial searches, and data requests, in connection with Plaintiffs' Second RFP. The parties are also continuing to discuss a dispute regarding access to materials under the Case Management Order, but the issue is not yet ripe to present to the Court.

**C. The Parties' Discovery of Third Parties**

A summary of the third-party discovery requests issued by the parties prior to March 26 is set forth in the parties' earlier Joint Status Reports, including their report dated February 23 (ECF No. 111) and their report dated March 26 (ECF No. 124). Since March 26, Google has issued cross-subpoenas to thirteen third parties, and the parties have subpoenaed and cross-subpoenaed six additional third parties. The parties have issued document subpoenas to approximately 47 third parties in total, and all third parties that have received a subpoena from Plaintiffs have received a cross-subpoena from Google, and vice versa. The parties anticipate that they will continue to issue additional document subpoenas as discovery progresses.

**II. Case No. 1:20-cv-03715**

**A. Google's Discovery of Plaintiffs**

A summary of Google's First Set of Requests for Production and the document productions made by Plaintiffs to date are set forth in the parties' earlier Joint Status Reports, including their report dated March 26 (ECF No. 124) and their report dated April 15 (ECF No. 130).

**B. Plaintiffs' Discovery of Google**

A summary of Plaintiffs' First Set of Requests for Production and the parties' meet and confer discussions prior to April 15 are set forth in the parties' earlier Joint Status Reports, including their report dated March 26 (ECF No. 124) and their report dated April 15 (ECF No. 130). As indicated in the April 15 Joint Status Report, the parties met and conferred on April 21, 2021 to further discuss custodians, search terms, and other topics during the week of April 19. The parties will continue to meet and confer on April 26, 2021.

**C. The Parties' Discovery of Third Parties**

The parties have issued document subpoenas to approximately 47 third parties. All third parties that have received a subpoena from Plaintiffs have received a cross-subpoena from Google. Similarly, all third parties that have received a subpoena from Google have received a cross-subpoena from Plaintiffs. Both parties anticipate that they will continue to issue additional document subpoenas as discovery progresses.

Dated: April 23, 2021

Respectfully submitted,

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