

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE  
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

THOMAS ENVIRONMENTAL )  
SERVICES, INC.; PINNACLE )  
POLLUTION CONTROL SERVICES, )  
LLC; and RIGHT INDUSTRIAL )  
SERVICES, INC., )

Plaintiffs, )

VS. )

NEO CORPORATION; and )  
HARRY PUCKETT, )

Defendants. )

NF  
NO. 15-1474-BC

2016 FEB -8 PM 3:32  
FILED  
CLEM & MASTERS  
DAVIDSON CO. CHANCERY CT  
D.C. & M.

**CASE LITIGATION PLAN ORDER FOR PHASE ONE OF CASE**

To be both cost conscious but also obtain thorough and complete discovery, the Court and Counsel conferred by telephone to plan the initial phase of this case.

It emerged from the Conference that as a preliminary matter it is necessary for the parties to engage in some discovery to be able to evaluate the scope of the litigation and a cost/benefit analysis.

Accordingly, the following plan is ORDERED as to phase one of the litigation:

1. Plaintiff's Counsel shall submit a proposed order on preserving data and information.

2. Counsel have agreed to retain LogicForce for electronic forensic discovery.


The upfront fee will be paid half by Plaintiffs and the other half by Defendant NEO

Corporation. These payments are ordered as a matter of logistics not merits, and all motions for reimbursement or offset related to payment of Logic Force's fees are preserved.

4. With respect to interrogatories and requests for production just served by Plaintiffs on both Defendants, Counsel for all parties shall confer and attempt to resolve disputes. Also Counsel shall attempt to agree on the universe of search terms for electronic discovery. On March 11, 2016, each Attorney shall file a list of the unresolved discovery items it seeks for the Court to rule upon. After reviewing the lists, the Court will attempt to manage the issues on the papers and will notify Counsel how to proceed.

5. The hearing set for March 14, 2016, on whether to maintain, modify or dissolve the temporary injunction issued January 13, 2016, is continued due to a scheduling conflict of Counsel. The new hearing date is March 31, 2016, at 9:00 a.m., and until that date the temporary injunction remains in force.

6. After an answer is filed to the counterclaim, the Court will evaluate the timing of mediation, particularly the extent of discovery and preliminary motions and proceedings needed to make mediation meaningful, and will consult Counsel, as well, regarding the most productive but cost conscious timing for conducting mediation.

  
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ELLEN HOBBS LYLE  
CHANCELLOR  
TENNESSEE BUSINESS COURT  
PILOT PROJECT

cc: Nader Baydoun  
Stephen Knight  
Camille Chandler  
Todd G. Cole  
James W. White

 MAILED  
2-8-14