

2013 WL 1960621

Only the Westlaw citation is currently available.

**UNPUBLISHED OPINION. CHECK
COURT RULES BEFORE CITING.**

Court of Chancery of Delaware.

EORHB, INC., a Georgia corporation, and
Coby G. Brooks, Edward J. Greene, James P.
Creel, Carter B. Wrenn and Glenn G. Brooks,
each as personal representatives and trustees
of the estate of Robert H. Brooks, Plaintiffs,

v.

HOA HOLDINGS LLC, a Delaware limited liability
company, and HOA Restaurant Group, LLC, a
Delaware limited liability company, Defendants.

HOA Holdings LLC, a Delaware limited
liability company, and HOA Restaurant
Group, LLC, a Delaware limited liability
company, Counterclaim Plaintiffs,

v.

EORHB, Inc., a Georgia corporation, and Coby
G. Brooks, Edward J. Greene, James P. Creel,
Carter B. Wrenn and Glenn G. Brooks, each as
personal representatives and trustees of the estate
of Robert H. Brooks, Counterclaim Defendants.

C.A. No. 7409–VCL.

|
May 6, 2013.

ORDER

LASTER, Vice Chancellor.

*1 WHEREAS, on October 15, 2012, the Court entered
an Order providing that, “[a]bsent a modification of this

order for good cause shown, the parties shall (i) retain a
single discovery vendor to be used by both sides, and (ii)
conduct document review with the assistance of predictive
coding;”

WHEREAS, the parties have proposed that HOA
Holdings LLC and HOA Restaurant Group LLC
(collectively, “Defendants”) retain ediscovery vendor
Kroll OnTrack for electronic discovery;

WHEREAS, the parties have agreed that, based on
the low volume of relevant documents expected to be
produced in discovery by EORHB, Inc., Coby G. Brooks,
Edward J. Greene, James P. Creel, Carter B. Wrenn
and Glenn G. Brooks (collectively, “Plaintiffs”), the cost
of using predictive coding assistance would likely be
outweighed by any practical benefit of its use;

WHEREAS, the parties have agreed that there is no need
for the parties to use the same discovery review platform;

WHEREAS, the requested modification of the Order will
not prejudice any of the parties;

NOW THEREFORE, this — day of May 2013, for
good cause shown, it is hereby ORDERED that:

(i) Defendants may retain ediscovery vendor Kroll
OnTrack and employ Kroll OnTrack and its computer
assisted review tools to conduct document review;

(ii) Plaintiffs and Defendants shall not be required to
retain a single discovery vendor to be used by both sides;
and

(iii) Plaintiffs may conduct document review using
traditional methods.

All Citations

Not Reported in A.3d, 2013 WL 1960621