

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE: AT&T Inc. CUSTOMER DATA
SECURITY BREACH LITIGATION

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CASE NO. 3:24-cv-00757-E

MDL DOCKET NO. 3:24-md-03114-E

This Document Relates to All Cases

CASE MANAGEMENT ORDER #4

**GIVING NOTICE AND OPPORTUNITY TO BE HEARD REGARDING THE
APPOINTMENT OF CRAIG BALL AS SPECIAL MASTER FOR ESI AND
DISCOVERY**

Considering the complexity of this multidistrict litigation, the Court concludes that the appointment of a Special Master for ESI and Discovery under Federal Rule of Civil Procedure 53 would serve to facilitate the just, speedy and inexpensive determination of this proceeding, as required by Federal Rule of Civil Procedure 1. *See* Fed. R. Civ. P. 53(b) (enumerating the process for appointing a special master); *see generally* Special Masters, Ann. Manual Complex Lit. § 11.52 (4th ed.).¹ To that end, the Court has reached out to Texas attorney and certified computer forensic examiner Craig Ball to request that he serve as Special Master for Electronically Stored Information (ESI) and Discovery in this proceeding. Craig Ball has agreed to serve as Special Master for ESI and Discovery, with the understanding that his appointment be done with the consent of the parties, as required under Fed. R. Civ. P. 53 (a)(1)(A). Mr. Ball is not aware of any grounds for disqualification under 28 U.S.C. § 455. Attached hereto as **Exhibit A** is biographical information regarding Craig Ball.

For purposes of discerning the nature of the Special Master appointment, the Court

¹ *See also* Fed. R. Civ. P. 1 (The Federal Rules of Civil Procedure “should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding.”).

provides the following information.

Case Management Order – Contents

I.	SPECIAL MASTER’S DUTIES	3
II.	COMMUNICATIONS	4
III.	SPECIAL MASTER’S RECORD.	4
IV.	REVIEW OF THE SPECIAL MASTER’S RULINGS.....	5
V.	COMPENSATION.	6
VI.	AFFIDAVIT.	7
VII.	COOPERATION.	8
VIII.	ACCESS TO INFORMATION AND PERSONNEL.	8

I. SPECIAL MASTER'S DUTIES

In making this appointment, the Court has determined that the matters within the purview of the Special Master necessitate highly specialized technical knowledge and cannot be effectively and timely addressed by an available district judge or magistrate judge of the district. The Court has reviewed legal authority addressing the duties of a Special Master that are permitted under the Federal Rules of Civil Procedure and Article III of the Constitution.² Consistent with this legal authority and the currently anticipated needs of the Court, the Court proposes that Special Master Ball shall have the authority over matters of electronically stored information (ESI) and discovery and in support thereof to:

- (i) meet separately and together with various groups to facilitate communications between and amongst (a) the parties, (b) any relevant outside entities, and (c) the Court;
- (ii) assist the Court with mediating resolution of any part of the parties' disputes relating to discovery and ESI;
- (iii) provide legal analysis of the parties' submissions;
- (iv) ensure coordination with any related litigation or governmental action relating to discovery and ESI;
- (v) assist with preparation for attorney conferences (including formulating agendas), court scheduling, and case management as it may relate to discovery and ESI;
- (vi) interpret any agreements reached by the parties relating to discovery and ESI; and
- (vii) direct, supervise, monitor, and report upon implementation and compliance with the Court's Orders relating to discovery and ESI.

Special Master Ball shall organize his activity to ensure non-duplication of effort and appropriate attention to the various groups of interested parties and counsel. The Court may direct the Special Master Ball to undertake additional duties as the case progresses.

² See generally FRCP 53, advisory committee's notes, 2003 amendment (discussing the range of duties and authority of a Special Master); *Appointing Special Masters and Other Judicial Adjuncts: A Benchbook for Judges and Lawyers* (5th ed. 2013).

II. COMMUNICATIONS

Rule 53(b)(2)(B) directs the Court to set forth “the circumstances, if any, in which the Special Master may communicate *ex parte* with the court or a party.” Fed. R. Civ. P. 54(b)(2)(B). The Court proposes that Craig Ball, as Special Master, may communicate *ex parte* with the Court or Special Master Furgeson at his discretion, without providing notice to the parties, regarding logistics, the nature of his activities, management of discovery and ESI, and other appropriate procedural matters, and also to assist the Court and Special Master Furgeson with legal analysis of the parties' submissions related to Ball's areas of expertise. Special Master Ball may communicate *ex parte* with any party or its attorney, as he deems appropriate, for the purposes of ensuring the efficient administration and management and oversight of discovery in this case, and for the purpose of mediating or negotiating a resolution of part or all of any dispute related to discovery and ESI. The Special Master shall not communicate to the Court any substantive matter learned during an *ex parte* communication between Special Master Ball and any party.

Disclosure of privileged or protected information connected with the litigation to the Special Master shall not be a waiver of privilege or a right of protection in this cause and is also not a waiver in any other Federal or State proceeding. Accordingly, a claim of privilege or protection may not be raised as a basis to resist such disclosure.

III. SPECIAL MASTER'S RECORD

Rule 53(b)(2)(C) provides that the Court define the nature of the materials to be preserved and filed as a record of the Special Master's activities. Fed. R. Civ. P. 53(b)(2)(C). The Court proposes that Craig Ball shall maintain normal billing records of his time spent on this matter, with reasonably detailed descriptions of the activities and matters worked upon. If the Court asks Special Master Ball to submit a formal report or recommendation regarding any matter, Special Master Ball shall

submit such report or recommendation in writing, for filing on the case docket. The Special Master need not preserve for the record any documents created by the Special Master that are docketed in this or any other court, nor any documents received by the Special Master from counsel or parties in this case.

IV. REVIEW OF THE SPECIAL MASTER'S RULINGS

Rule 53(b)(2)(D) directs the Court to state the time limits, method of filing the record, other procedures, and standards for reviewing the Special Master's orders, findings, and recommendations. Fed. R. Civ. P. 53(b)(2)(D). The Court proposes that Craig Ball, as Special Master for ESI and Discovery, shall either: (i) reduce any formal order, finding, report, ruling, or recommendation to writing and file it electronically on the case docket via Electronic Case Filing ("ECF"); or (ii) issue any formal order, finding, report, ruling, or recommendation on the record before a court reporter. Pursuant to Rule 53(f)(2), any party may file an objection to an order, finding, report, ruling, or recommendation by the Special Master within twenty-one days of the date it was filed; failure to meet this deadline results in permanent waiver of any objection to the Special Master's orders, findings, reports, rulings, or recommendations. Fed. R. Civ. P. 53(f)(2).³ Absent timely objection, the orders, findings, reports, rulings, and recommendations of Special Master Ball shall be deemed approved, accepted, and ordered by the Court, unless the Court explicitly provides otherwise.

If Special Master Ball issues an informal ruling or order that is not on the record (such as the resolution of a discovery dispute) either orally, via email, or through other writing, and a party

³ Rule 53(f)(2) provides that parties may file objections no later than twenty-one days after a copy of the Special Master's order, report, or recommendations is served, unless the court sets a different time. Fed. R. Civ. P. 53(f)(2). Motions for extensions of time to file objections will not normally be granted unless good cause is shown. The Special Master may, however, provide in an order, finding, report, or recommendation that the period for filing objections to that particular document is some period longer than twenty-one days, if a longer period appears warranted.

wishes to object to that ruling or order, the party shall ask the Special Master to formalize the ruling or order by filing it on the docket or appearing before a court reporter. Such request shall be made within three days of issuance of the informal order or ruling, else the opportunity to object shall be waived. The procedures and deadlines outlined in this section shall then apply.

As provided in Rules 53(f)(4)-(5), the Court shall decide *de novo* all objections to conclusions of law made or recommended by the Special Master; and the Court shall set aside a ruling by the Special Master on a procedural matter only for an abuse of discretion. Fed. R. Civ. P. 53(f)(4)-(5). The Court shall retain sole authority to issue final rulings on matters formally submitted for adjudication, unless otherwise agreed by the parties, and subject to waiver of objection to written orders or recommendations as noted above. To the extent the Special Master enters an order, finding, report, ruling, or recommendation regarding an issue of fact—the Court shall review such issue of fact *de novo*, if any party timely objects pursuant to the Rules and within the 21 calendar-day-time period set forth herein. *See* Fed. R. Civ. P. 53(f)(3). Failure to meet this deadline results in a permanent waiver of any objection to the Special Master’s findings of fact.

V. COMPENSATION

Rule 53(b)(2)(E) states that the Court must set forth the basis, terms, and procedure for fixing the Special Master’s compensation. *See also* Fed. R. Civ. P. 53(g) (addressing compensation). The Court proposes that Special Master Ball be compensated at his usual and customary rate of \$750 per hour plus expenses, including time spent in transit or otherwise in connection with this appointment provided however that travel time will be paid at one-half (50%) of the usual and customary rate unless substantive work, research or discussions are performed while traveling, in which case such activities will be billed at the usual and customary rate. If Special Master Ball requires other assistance in the performance of his duties as Special Master, he will seek said

assistance only after notice to the parties and approval of the Court. The fees and expenses for Craig Ball and his staff shall be shared by the parties, with Defendant bearing 50% of this cost and Plaintiffs bearing 50% of this cost.⁴ The Special Master shall incur only such fees and expenses as may be reasonably necessary to fulfill his duties under this Order, or such other Orders as the Court may issue. The Court has “consider[ed] the fairness of imposing the likely expenses on the parties and [has taken steps to] protect against unreasonable expense or delay.” Fed. R. Civ. P. 53(a)(3).

From time to time, on approximately a monthly basis, Special Master Ball shall file under seal an Itemized Statement of fees and expenses (not to include overhead). The Court expects these Itemized Statements may reveal confidential or privileged communications between the Special Master and the Court. Accordingly, the Court shall maintain these Itemized Statements under seal, and they shall not be made available to the public or counsel. The Special Master shall file with his Itemized Statements a Summary Statement, which shall list only the total amount billed, shall not be filed under seal, and shall contain a signature line for the Court, accompanied by the statement “approved for disbursement.” If the Court determines the Itemized Statement is regular and reasonable, the Court will sign the corresponding Summary Statement and transmit it to the parties. The parties shall then remit to Special Master Ball their proportionate share of any Court-approved amount, within twenty calendar days of Court approval.

VI. AFFIDAVIT

Rule 53(b)(3)(A) notes that the Court may enter an Order of appointment only after the Special Master “files an affidavit disclosing whether there is any ground for disqualification under 28 U.S.C. § 455.” Fed. R. Civ. P. 53(b)(3)(A); *see* Fed. R. Civ. P. 53(a)(2) (discussing basis for

⁴ To the extent additional defendants are added to this litigation, the Court expects defendants will bear 50% of the Special Master’s costs, jointly.

disqualification). So that the consent of the parties can be accomplished with the full understanding of Craig Ball's relationships to this litigation and to the parties and their lawyers, Special Master Ball is directed to file with the Court an affidavit disclosing any possible ground for his disqualification under 28 U.S.C. § 455.⁵

VII. COOPERATION

The Court will require that the parties and their counsel, including their successors in office, agents, and employees, shall provide full cooperation to Craig Ball, as Special Master, and any staff or consultant employed by the Special Master, and observe faithfully the requirements of any orders of the Court and rulings by the Special Master. The Parties shall timely comply with rulings of the Special Master issued pursuant to this Order. Pursuant to Rule 53(c)(2), the Special Master may, if appropriate, "impose on a party any noncontempt...sanction provided by Rule 37 or 45 and may recommend a contempt sanction against a party and sanctions against a nonparty" As an agent and officer of the Court, the Special Master (and those working at his direction) shall enjoy the same protections from being compelled to give testimony and from liability for damages as those enjoyed by other federal judicial adjuncts performing similar functions.⁶

VIII. ACCESS TO INFORMATION AND PERSONNEL

When effective, the parties will make readily available to Craig Ball, as Special Master, any and all individuals (including technical staff and vendors), information, documents, materials, software, files, databases, devices, media, repositories, systems, services, facilities, and premises under their control that the Special Master requires to perform his duties.

⁵ Section 455 enumerates circumstances in which a justice, judge, or magistrate judge of the United States "shall disqualify himself." 28 U.S.C. § 455(a)-(b).

⁶ See, e.g., *Atkinson-Baker & Assocs., Inc. v. Kolts*, 7 F.3d 1452, 1454-55 (9th Cir. 1993) (applying the doctrine of absolute quasi-judicial immunity to a Special Master).

The Special Master may require reports from any party in a format specified by the Special Master, as reasonably required to enable the Special Master to perform all assigned duties.

Therefore, after reviewing this Order and Craig Ball's affidavit, the parties are hereby required by **September 11, 2024**, to either (i) file their consent to the appointment of Craig Ball as Special Master for ESI and Discovery or (ii) file their objection to said appointment.

IT IS SO ORDERED.

Signed this 21st day of August 2024.

A handwritten signature in black ink, appearing to read 'Ada E. Brown', is written over a horizontal line.

Ada E. Brown

UNITED STATES DISTRICT JUDGE

Exhibit A

CRAIG BALL

(713) 320-6066

**ESI Special Master and Texas Attorney
Certified Computer Forensic Examiner
Author and Educator**

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New Orleans, Louisiana 70115
craig@ball.net
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Blog: ballinyourcourt.com**

I am a Texas attorney in good standing with 42 years of experience. For the past 25 years, I've limited my practice to a specialty in electronic discovery and digital evidence, helping to inform and shape that discipline. Previously, I was lead counsel in complex litigation.

I am a formally trained and certified computer forensic examiner, and I hold multiple certifications in data recovery and electronic discovery. I teach Electronic Discovery and Digital Evidence at the graduate school level and counsel lawyers, courts, businesses and governments on the strategy and management of e-discovery. I've published extensively on electronic discovery, including writing a nationally syndicated column for nine years and the *E-Discovery Workbook*, a text widely used by law professors teaching the subject.

On 50+ occasions, I have served as a court-appointed Special Master/Neutral in Electronically Stored Information, a role which requires me to oversee, direct and assess electronic discovery in complex, often high-profile litigation.

I currently serve as General Counsel for the Electronic Discovery Reference Model, and I have held various leadership roles in other groups charged with the creation and refinement of standards and best practices for electronic discovery, including The Sedona Conference Working Group 1 and the Federal Judicial Center. I served on the committee that drafted the current Maryland Federal Courts' Guidelines for Electronic Discovery; the only out-of-state attorney invited to participate.

I've delivered more than 2,200 publications and speeches throughout the nation and abroad on e-discovery and computer forensics. I advise foreign and domestic corporations as well as governmental units on the design, implementation and operation of electronic discovery and compliance functions. I've testified on e-discovery rulemaking before the Federal Rules committee, and at publishers' requests, I've written on the essential features and design of leading electronic discovery software platforms.

Electronic discovery and digital evidence have been my full-time focus for as long as they've been discrete disciplines. I am regularly hands-on with systems and data, fluent in the sources and forms of ESI and conversant in all phases of the EDRM. I believe I enjoy a long-recognized and -esteemed position as a trusted thought leader in e-discovery, and I've devoted countless hours to devising ways to make electronic evidence more accessible and affordable for all. I understand e-discovery's challenges and embrace the obligation to stay abreast of changing technologies. E-discovery competence demands vigilant attendance to emerging case law, standards, regulations and tools. That's a full-time job, and it's been my full-time job for decades.

CAREER HIGHLIGHTS

Current Position (since 1991): President, Craig D. Ball, P.C. law firm, practice limited service as a court-appointed Special Master in ESI and consultancy in electronic discovery and computer forensics.

Current Position (since 2011): Adjunct Professor, University of Texas School of Law, teaching Electronic Discovery and Digital Evidence. (Spring Semesters)

Current Position (since 2008): Faculty and Founder, Georgetown University Law Center E-Discovery Training Academy, a week-long boot camp in e-discovery. (Summer term)

Current Position (since 2020): Adjunct Professor, Tulane University School of Law, teaching Electronic Evidence and Information Technology for Trial Lawyers. (Fall semesters)

Current Position (since 2020): General Counsel, Electronic Discovery Reference Model (EDRM)

EDUCATION

Rice University (B.A., 1979, triple major); University of Texas (J.D., with honors, 1982); Oregon State University (Computer Forensics certification, 2003); EnCase Intermediate Reporting and Analysis Course (Guidance Software 2004); WinHex Forensics Certification Course (X-Ways Software Technology 2005); Certified Data Recovery Specialist (Forensic Strategy Services 2009); Nuix Certified E-Discovery Specialist (2014); numerous other classes on computer forensics and e-discovery.

SELECTED PROFESSIONAL ACTIVITIES

Law Offices of Craig D. Ball, P.C.; licensed in Texas since 1982
Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization 1988-2019
Certified Computer Forensic Examiner, Oregon State University and NTI
Certified Computer Examiner (CCE), International Society of Forensic Computer Examiners
Certified Data Recovery Specialist, Certified E-Discovery Specialist (Nuix)
Faculty and Founder, Georgetown University Law Center, E-Discovery Training Academy
Faculty, University of Texas School of Law, Adjunct Professor teaching Electronic Discovery & Digital Evidence
Faculty, Tulane University School of Law, Adjunct Professor teaching Digital Evidence
Instructor in Computer Forensics and Electronic Discovery, United States Department of Justice
Lecturer on Electronic Discovery for Federal Judicial Center, FDIC (2019) and Texas Office of the Attorney General
Board Member, Georgetown University Law Center Advanced E-Discovery Institute and E-Discovery Academy
Board Member, International Society of Forensic Computer Examiners (*agency certifying computer forensic examiners*)
Member, Sedona Conference WG1 on Electronic Document Retention and Production
Member, Maryland Committee on Federal E-Discovery Guidelines, 2014-17 (civil and criminal committees)
Special Master, Electronic Discovery, numerous federal and state tribunals
Instructor, HTCIA Annual 2010, 2011, 2023 Cybercrime Summit, 2006, 2007; SANS Instructor 2009, CEIC 2011, 2012
Special Prosecutor, Texas Commission for Lawyer Discipline, 1995-96
Council Member, Computer and Technology Section of the State Bar of Texas, 2003-date; Chair 2015-2016
Chairman: Technology Advisory Committee, State Bar of Texas, 2000-02
President, Houston Trial Lawyers Association (2000-01); President, Houston Trial Lawyers Foundation (2001-02)
Director, Texas Trial Lawyers Association (1995-2003); Chairman, Technology Task Force (1995-97)
Member, Texas State Bar College
Member, Continuing Legal Education Comm., 2000-04, Civil Pattern Jury Charge Comm., 1983-94, State Bar of Texas
Life Fellow, Texas and Houston Bar Foundations
Adjunct Professor, South Texas College of Law, 1983-88

PUBLICATIONS

I've written and published about law and technology for more than 35 years. Most of that body of work concerns digital evidence, computer forensics and e-discovery. For nine years, I wrote a nationally syndicated column on electronic evidence called *Ball in Your Court*, published by American Lawyer Media, including numerous posts on the defunct site EDDUpdate.com (*reportedly available on Lexis/Nexis*). Additionally, my articles on digital evidence and e-discovery have been published by numerous Bar Associations, CLE providers and Bar journals, including the *ABA Journal*, *TRIAL* magazine and *Law Practice*. Since August of 2011, I regularly publish on electronic discovery and computer forensics on

my eponymous blog, *Ball in Your Court*, comprised of ~250 essays through 2024. These essays are not listed below, however all of them are freely accessible at ballinyourcourt.com. Additional publications are linked at craigball.com.

Publications within the last 10 years include:

1. Being the Better Expert Witness: A Primer for Forensic Examiners, Summer 2023
2. The E-Discovery Workbook Spring 2021, Fall 2021, Spring 2022, Spring 2023, Spring 2024
3. The Annotated ESI Protocol, Spring 2023
4. On the Other Side; Upping your Game in Zoom; The Advocate, Fall 2021
5. E-DISCOVERY: Requesting Parties Must Up their Game in Cybersecurity (Texas Bar Journal 12/20)
6. Perfect Preservation Letter Guide 2020
7. Social Media Content and E-Discovery (Texas Bar Journal 5/20)
8. E-Discovery Workbook (versions twice annually for last nine years)
9. Processing in E-Discovery: A Primer
10. Introduction to Digital Data, Computers and Storage (Chapter 4, *Essentials of E-Discovery*, 2Ed. 2019)
11. Introduction to Computer Forensics (Chapter 19, *Essentials of E-Discovery*, 2Ed. 2019)
12. Competency and Strategy in E-Discovery
13. Mobile to the Mainstream 2019, 2022
14. E-Discovery Update 2018/2019
15. Drafting Forensic Examination Protocols
16. Getting Critical Information from Tough Locations
17. Back It Up: Custodian-Directed Preservation of iPhone Data; Practical Law magazine 5/18
18. E-Discovery Strategies: A Dozen Tips for Requesting and Producing Parties (Texas Bar Journal 3/18)
19. Exercises in Lexical Search for Electronic Discovery; Georgetown Law
20. Luddite Lawyer's Guide to Computer Backup Systems
21. What Every Lawyer Should Know about E-Discovery
22. Opportunities and Obstacles: E-Discovery from Mobile Devices
23. Modern Requests for Forms That Function
24. Ten Tips for Judges Dealing with E-Discovery
25. E-Discovery on a Budget
26. The Luddite Lawyer's Guide to Digital Forensics
27. Are You Ready to Respond to IP Theft?
28. E-Discovery Project Management Checklist (with Browning Marean)
29. Electronic Discovery and Digital Evidence: Cases and Materials (editor and contributor)
30. The Case for Native Production, Practical Law magazine
31. Improving E-Discovery Outcomes with ESI Special Masters; Practical Law magazine
32. Lawyer's Guide to Forms of Production
33. The Plaintiff's Practical Guide to E-Discovery
34. E-Discovery and Digital Evidence (Mississippi College of Law 2014)
35. Musings on Meet & Confer: Ask the Right Questions
36. Collecting Gmail for Preservation
37. E-Discovery and Digital Evidence (Pennsylvania Bar Institute)
38. Nerdy Things Lawyers Should Know About Electronic Evidence (GULC/PBI/NALA)
39. Effective Preparation for Rule 26(f) Conference
40. Becoming a Better Witness on Digital Forensics
41. Musings on Technology Assisted Review
42. Selected Short Articles About Search in Electronic Discovery
43. Introduction to Digital Computers, Servers and Storage (2015)
44. Introduction to Digital Data, Computers and Storage (Chapter 4, *Essentials of E-Discovery* 2014)
45. Introduction to Computer Forensics (Chapter 19, *Essentials of E-Discovery* 2014)
46. Computer Forensics for Lawyers Who Can't Set a Digital Clock
47. Beyond Data About Data: The Litigator's Guide to Metadata
48. "Ball in Your Court" April 2005 – July 2013

49. Luddite Litigator's Guide to Databases in E-Discovery
50. Ten Things That Trouble Judges About E-Discovery
51. E-Discovery: A Special Master's Perspective
52. Surefire Steps to Splendid Search
53. Preservation of ESI After Layoffs
54. Geek Speak: A Lawyer's Guide to the Language of Data Storage and Networking
55. E-Discovery: Right from the Start – Employment Law Collection
56. Column for Forensic Focus, August 2011
57. Meeting the Challenge: E-Mail in Civil Discovery
58. Six for the Bench (Delaware Judicial Education Seminar)
59. Column for Forensic Focus, December 2010
60. E-Discovery: Right...from the Start (Texas Advanced Paralegal Seminar 2010)
61. Three for the Bench: National Workshop for District Judges, Federal Judicial Center
62. E-Discovery for Everybody: The Edna Challenge
63. First Responder's Guide to Employee Data Theft
64. Cross-examination of the Computer Forensics Expert
65. When Do-It-Yourself E-Discovery Isn't Enough, TRIAL magazine
66. Piecing Together the E-Discovery Plan, TRIAL magazine

References on request.

Achievement awards and honors on request.

Matters in Which Craig Ball has Served as a Court-Appointed Special Master or Neutral or Testified as an Expert or in Connection with Computer Forensics/Electronic Evidence

1. **Meyer v. Brown; Harris County, TX, Judge Baker; (Court's Neutral)**
2. In Re: Enron and Arthur Andersen Secs. Litigation; USDC SDTX (Lead Plaintiff's Counsel's ESI expert)
3. In Re: Tyco Securities Litigation; USDC NH (Lead Plaintiff's Counsel's ESI Expert)
4. **American Express v. Americap; USDC SDTX (Court's Special Master)**
5. **TXU v. Whittaker et al.; 151st Harris County, TX (Court's Special Master)**
6. Miller et al. v. Highland Medical Center; 295th JDC, Harris County, TX (Plaintiff's Counsel's Expert)
7. **Barnes v. Kissner; 190th JDC; Harris County, TX (Court's Neutral)**
8. BP Texas City Explosion Litigation, Galveston, TX (Joint Prosecution Group's Expert)
9. Chart Industries v. Runyan and Applied Hydrocarbon Systems; USDC SDTX (Plaintiff's Expert)
10. Key Energy v. Crisp; USDC Midland, TX (Plaintiff's Counsel's Expert)
11. **Broussard v. Dunlap; 190th Harris County, TX (Court's Neutral)**
12. State Bar of Texas v. [Attorneys Under Investigation]; TX Office of the Disciplinary Counsel
13. In Re: Flowserve Securities Litigation; USDC NDTX (Lead Plaintiff's Counsel's Expert)
14. **Grooms v. Montelaro; 295th, Harris County, TX (Court's Special Master)**
15. Luk v. Eisner; 11th, Harris County, TX (Defense Counsel's Expert)
16. **MJCM, LLC. v. Floyd and Associates. Harris County, TX (Court's Neutral)**
17. PowerTrain v. American Honda; USDC NDMS (Hybrid Appointment)
18. **Shue v USAA et al; Kendall County, TX (Court's Special Master)**
19. In Re: Sirna Therapeutics Litigation; USDC NDCA (Defense Counsel's Expert)
20. **Yeh v. McDougal; 333rd Harris County, TX (Court's Neutral)**
21. Plus Technologia, SA de CV v ACI Worldwide; Pinellas Cty., FL (Plaintiff's Counsel's Expert)
22. **Anadarko Petroleum v. Geosouthern Energy; USDC SDTX (Hybrid/Court's Neutral)**
23. **ASC v. SCI; Ft. Bend County, TX (Court's Neutral by Stipulation)**
24. **Katrina Canal Breaches Consolidated Litigation; USDC EDLA (Court's Neutral)**
25. **Sellar v. Boecker; Harris County, TX (Court's Neutral)**
26. **In Re: Seroquel Products Liability Litigation; USDC MDFL (Court's Special Master-ESI)**
27. **Daimler Trucks N.A. LLC v. Younessi; USDC OR (Court's Special Master)**
28. **MDI v. NaphCare; USDC SDMS (Court's Neutral)**
29. Baker Hughes v. Pathfinder; USDC SDTX (Defense Counsel's Expert)
30. **Bd. of Comms. of the Port of N.O. v. Lexington Ins. Co. et al.; USDC EDLA (Special Master-ESI)**
31. **Stewart & Stevenson v. McGuirt; Harris County, TX (Neutral Expert by Stipulation)**
32. Fisher et al. V. Halliburton et al.; USDC SDTX (Plaintiff Counsel's Expert)
33. Aquamar S.A. v. E.I. Du Pont de Nemours & Co.; Broward County, FL (Plaintiff's Counsel's Expert)
34. **AmWINS Brokerage of Texas, Inc. v Hildebrand; Collin County, TX (Neutral by Agreement)**
35. **Arthur v. Stern; Harris County, TX (Court's Special Master in computer forensics)**
36. **Duke Energy Int'l, LLC et al. v. Napoli; Harris County., TX (Court's Special Master)**
37. **Austin Capital Mgmt. v. Balthrop; USDC WDTX (Court's Special Master in computer forensics)**
38. Grace et al. v. DRS Sensors & Targeting Systems, Inc.; USDC MDFL (Defense Counsel's Expert)
39. **Peironnet et al. v. Matador Resources Co. et al.; Caddo Parish, LA (Court's Neutral)**
40. Camp Mystic, Inc. et al. v. Eastland et al.; Kerr County, TX (Defense Counsel's Expert)
41. **Maggette, Jacobs et al. v. BL Development et al.; USDC NDMS (Court's Special Master)**
42. Ridha et al. v. Texas A&M University et al.; USDC SDTX (Defense Counsels' Expert)
43. **In re: CityCenter Construction Litigation, Clark County, NV (Court's Special Master for ESI)**
44. In re: Bernard L. Madoff Investment Services Litigation; Bankruptcy Court SDNY (Trustee's Expert for ESI)
45. **Lexington v. Estate of John O'Quinn, Deceased; Probate Ct 2, Harris County, TX (Court's Neutral Examiner)**
46. **Allison et al. v. Exxon Mobil Corp.; Circuit Court Baltimore County, MD (Court's Special Master-ESI)**
47. **PIC Group v LandCoast, Inc.; USDC SDMS (Court's Special Master)**
48. **SSC, et al v. Halberdier, et al; Harris County., TX (Neutral by Agreement)**

49. **Houlahan v. WWASPS; USDC DDC (Court's Neutral)**
50. **M-I L.L.C. v. Stelly et al; USDC SDTX (Court's Neutral)**
51. **Coyote Springs Inv. v Pardee Homes; Clark County, NV (Court's Special Master)**
52. **Segner v. Sinclair Oil & Gas; USDC NDTX (Court's Special Master)**
53. **Adams Golf v. Reed and Callaway Golf; 296th, Collin County, TX (Court's Special Master)**
54. **Elliott v. Tetlow and MCO-I; USDC SDTX (Court's Special Master)**
55. **12001 Beamer, Ltd. V. Valtasaros; 295th, Harris County, TX (Court's Special Master)**
56. **William A. Sawyer v. Frank Gabrysch et al.; 269th. Harris County, TX (Court's Special Master)**
57. **Bridges et al. v. GES et al.; 164th, Harris County, TX (Court's Special Master)**
58. **Ramirez v. State Farm Lloyds; 206th, Hidalgo County, TX (Plaintiffs' Counsel's Expert)**
59. **In re: Forest Research Institute Cases, USDC DNJ (Plaintiffs' Counsel's Expert)**
60. **IDM v. May et al.; USDC EDVA (Plaintiffs' Counsel's Expert)**
61. **Radcliffe v. Tidal Petroleum; 218th , LaSalle County, TX (Court's Special Master)**
62. **Estate of Henry G. McMahon, Jr.; Travis County, TX (Court's Special Master)**
63. **Samame d/b/a Alamo Packing v. Arco Iris et al; USDC WDTX (Court's Special Master)**
64. **Huerta/Kodish v. BASF; Circuit Court, Cook County, IL (Court's E-Discovery Mediator)**
65. **EPAC v. Thomas Nelson, Inc.; USDC MDTN (Court's Special Master)**
66. **Gonzales and Select Caskets of Texas, Inc. v. Morris, et al.; 295th, Harris County, TX (Court's Special Master)**
67. **Ted W. Allen & Assoc. v. Norman et al.; 333rd Harris County, TX (Court's Special Master)**
68. **Preston Marshall et al. v. MarOpCo, Inc. et al.; 11th, Harris County, TX (Court's Special Master)**
69. **Marcus Huey et al. v. EQT Production Company, et al.; Wetzel County, WV (Defense Counsel's Expert)**
70. **Ravago Americas LLC v. Vinmar International LTD et al.; USDC SDTX (Court's Special Master)**
71. **In re: Allergan TBI Products Products Liability Litigation; USDC DNJ (Plaintiff's Counsel's Expert)**
72. **Dawkins and Hunt v, Crawford; Probate Court No. 1 of Travis County, TX (Court's Special Master)**
73. **Reliant Recycling v. Louisiana Scrap LLC; USDC EDLA (Neutral Examiner)**
74. **BCBS of Mississippi v. Coast Diagnostics; USDC SDMS (Court's Neutral)**
75. **Purland v. Energy Transfer; 164th JDC Harris County, TX (Plaintiffs' Counsel's Expert)**
76. **Series 2-Virage Master LP v The Sydow Firm; 113th JDC Harris County, TX (Defense Counsel's Expert)**
77. **Oil Patch Group Inc. v. Derek Elzner, et al; USDC SDTX (Arbitrator's Special Master)**
78. **MMR Constructors v. JB Group of LA et al; USDC MDLA (Court's Special Master)**

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Standard Rate is \$750.00/hour plus reasonable and customary out-of-pocket expenses, net 30.

Billable hours include time spent in transit for Client or otherwise in connection with this engagement, provided however that travel time will be billed at one-half (50%) of the standard rate unless substantive work, research or discussions in support of the engagement are performed while traveling, in which case such activities will be billed at the full standard rate.

Engagement Fee: Craig D. Ball, P.C. requires seven thousand five hundred dollars (\$7,500.00) as a non-refundable engagement fee be tendered with Client Obligor's execution of the Standard Consulting Agreement. The engagement fee is earned when received for forbearance of engagement but will be credited against sums due and owing for consulting fees under the agreement and further sums may be required as retainers when the engagement fee credit is exhausted.