

**PROCEDURAL ORDER OF THE BUSINESS LITIGATION SESSIONS REGARDING
PRIVILEGE LOGS**

The undersigned judges of the Superior Court, who are assigned to sit in the Business Litigation Sessions of the Superior Court during calendar year 2008, jointly adopt the following Procedural Order regarding privilege logs:

When a party withholds information otherwise discoverable under the Massachusetts Rules of Civil Procedure by claiming that it is privileged or subject to protection as material prepared in anticipation of litigation or for trial, the party shall make the claim expressly and, without revealing information that is privileged or protected, shall prepare a privilege log containing the following information: (1) the respective author(s) and sender(s) if different; (2) the recipient(s); (3) the date and time of document, written communication or thing not produced; and (4) in general terms, the subject matter of the withheld information. By written agreement of the party seeking the withheld information and the party holding the information or by court order, a privilege log need not be prepared or may be limited to certain documents, written communications, or things.

Ralph D. Gants
Justice of the Superior Court
Business Litigation Session I

Judith Fabricant
Justice of the Superior Court
Business Litigation Session II

Stephen E. Neel
Justice of the Superior Court
Business Litigation Session II

DATE: January 2, 2008