

To: George Mesires
From: Paul Noonan
Date: August 16, 2007
Subject: Summary of search process, Global Property Services Case

Due to their size and probable importance we decided to break up the "Facilities Management Division" and "Finance" folders of the W drive. In general however, we are assigning each folder to only one attorney.

A group of attorneys has been concentrating on the Facility Management Division folder in the W drive, as it is quite large. I successfully searched the entire folder for the term "Exterior Maintenance" and found several responsive documents (143 documents, copied to a sub-folder in the Facilities Management Division). Most of these are financial spreadsheets. I also started searching in "W: Store Operations" recording no hits.

My search in "Store Operations" was continued by Jeremy Holbrook, who is nearly complete with the large "Store Operations Work File." He also did a complete search of Building Services, recording no hits.

David Demaggio performed the Facilities Management search for "Brock," also recording many hits. David also spent time weeding out false positives as "Brock" tends to trigger the false positives of "Brockton, MA."

Tim Kennedy is running selective "global property" searches in the "Facilities Management Division" folder. Tim also ran a "Brock" search in the Finance folder, which turned up 133 hits, all of which are false positives so far. He is also using our newly granted access to search the "Vendor Administration" folder, so far recording no hits. Tim also wanted to note the following:

"Of the nine targeted searches I performed in subfolders of the Facilities Management and Finance folders, I have one hit – an excel spreadsheet listing Global Property Services as a vendor of an Ohio store for parking lot snow removal maintenance and landscaping. This document came out of the service contract inventory subfolder of the Facility Management folder. One note – "Parking lot snow removal" may work as a search term as it appears Kmart used this phrase in its listing of service contracts."

"Facilities Management Division" should not take much longer, as it only requires the "Idzior" search, plus the new search terms, to be complete.

Derek Wu is running searches in the W: Finance folder. Searches in Finance are getting hung up on the "Accounts Receivable" sub-folder, and so we are going to search around it and devote a few computers exclusively to this sub-folder. He has also started reviewing the P: Bulletin folder

Jon Beato reviewed several small folders. His summary is attached as well.

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In addition to the aforementioned, we also added unmanned computers to perform some of the longer, multi-day searches.

If you need any more information, please do not hesitate to ask.

Paul Noonan

To: George
From: Paul Noonan
Date: August 22, 2007
Subject: Summary of search process, Global Property Services Case

The Contract Attorneys have taken the following steps in the Global Property Services Review:

I am currently performing searches in the "Legal" folder, which entails avoiding those documents that have already been collected and stored there. To this point all hits have come from the Legal\Global Property section of the folder.

Jeremy Holbrook has completed the First Tier search of the following folders on the W: drive: Building Services, StoreOperations, DCBackupStats, TrivoliManager, Process Re-engineering and KIS.

He could not access 8 subfolders in Building Services, even while logged on as "Legal."

He began searching "Building Services" for the second tier terms, and has searched for 6 of the higher priority second tier terms in that folder.

Keith Potter has reviewed the W: Innovation folder for all terms, and copied his finding to his Y drive. (Some folders do not allow us to create new sub-folders in them, and copying to the Y drive is our second-best solution.) He had 26 total hits.

Tim Kennedy searched the Vendor Performance folder, recording one hit.

David Demaggio finished reviews of most of the "Facility Services" folder and the entire "Real Estate" folder. He is finishing up searches of the last of the folders in facilities. He had many hits and the copying process is still running.

He also reviewed the P: drive per George's request, to attempt to determine what is contained in certain ambiguously named folders. Most of these are small and were already reviewed and deemed not responsive by Jon (or another reviewer) in his "small folder review." Of those that were still unchecked, David found the following:

- "Batch" contains IT documents related to software tests.
- "PROCESS RE-ENGINEERING" contains documents relating to merchandise inventory & shipping of same.

The only folder left unexamined in the P: drive is "Palatine" which we cannot access even logged in under "Legal."

I have attached a separate document containing Jon Beato's findings.

We originally had 30 computers at our disposal, however new projects have taken most of those away. That said, we are still making good progress by running searches of larger scope for extended periods of time.

REDACTED

I believe that we are close to complete with the original four terms, and most of us have moved on to the second tier list.

As always, if you have any questions do not hesitate to contact me.

Thanks,

Paul Noonan

To: Paul Noonan
From: Jonathan Beato
Date: August 22, 2007
Subject: Updated summary of search process: Global Property Services Case

All but one of the P: drive folders where George Mesires was asking "What is this folder?" have been searched. None contain any relevant information. I still cannot access the remaining "PalatineP" folder, so its contents are still unknown.

I've finished searching the "P:\VendorAdministration" folder. It contains no relevant files.

I'm still in the process of reviewing all files under the "StoreOperations" folder in the P: drive. I am using the Windows Explorer program to manual search for relevant files, and I am also running the 4 initial search terms on sub-folders that look promising. To keep track of which folders are complete, I've created an Excel spreadsheet listing the "StoreOperations" sub-folders along with space to mark which type of search was used.

I also did a search for "Global Property" in the "P:\Finance\Accounts Payable" folder. This turned up 1630 hits, and a quick check of some of these files show that most do contain relevant information about Global Property Services. I have copied many of these to a folder in my Y: drive, but some of the files had the same name but were located in different sub-folders. These were not copied.

The "P:\Finance\Accounts Payable" folder has turned up the most useful information to date. A screenshot showing the "Search Complete" information is below.

Search Results

File Edit View Favorites Tools Help

Back Search Folders

Address: Search Results

Search Companion

Name	In Folder	Size	Type
031903 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\031903	3,619 KB	Microsoft Excel
March 20th 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\031903	166 KB	Microsoft Excel
032603 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\032603	3,655 KB	Microsoft Excel
March 27th 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\032603	175 KB	Microsoft Excel
040203 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\040203	3,673 KB	Microsoft Excel
April 3rd 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\040203	181 KB	Microsoft Excel
040903 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\040903	3,670 KB	Microsoft Excel
April 10th 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\040903	160 KB	Microsoft Excel
041603 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\041603	3,687 KB	Microsoft Excel
April 17th 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\041603	159 KB	Microsoft Excel
042303 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\042303	2,811 KB	Microsoft Excel
April 24th 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\042303	169 KB	Microsoft Excel
043003 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\043003	3,710 KB	Microsoft Excel
May 1st 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\043003	172 KB	Microsoft Excel
050603 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\050603	2,845 KB	Microsoft Excel
May 15th 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\050603	167 KB	Microsoft Excel
May 8th 2003 Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\050603	160 KB	Microsoft Excel
100902 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\100902	2,298 KB	Microsoft Excel
October 10th Check Summary ONLY (1)	P:\Finance\Accounts Payable\Jay Alix\Prepetition\100902	189 KB	Microsoft Excel
101602 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\101602	2,495 KB	Microsoft Excel
October 17th Check Summary ONLY-Fold...	P:\Finance\Accounts Payable\Jay Alix\Prepetition\101602	195 KB	Microsoft Excel
102302 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\102302	2,413 KB	Microsoft Excel
October 24th Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\102302	191 KB	Microsoft Excel
103002 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\103002	2,447 KB	Microsoft Excel
October 31st Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\103002	213 KB	Microsoft Excel
110602 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\110602	177 KB	Microsoft Excel
November 7th Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\110602	2,435 KB	Microsoft Excel
110602 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\110602	177 KB	Microsoft Excel
November 7th Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\110702	2,415 KB	Microsoft Excel
110702 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\110702	2,458 KB	Microsoft Excel
111302 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\111302	189 KB	Microsoft Excel
November 14th Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\111302	2,567 KB	Microsoft Excel
112002 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\112002	178 KB	Microsoft Excel
November 21st Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\112002	2,712 KB	Microsoft Excel
112702 Prepetition Payment Database	P:\Finance\Accounts Payable\Jay Alix\Prepetition\112702	223 KB	Microsoft Excel
November 28th Check Summary ONLY	P:\Finance\Accounts Payable\Jay Alix\Prepetition\112702		Microsoft Excel

There were 1630 files found. Did you find what you wanted?

- Yes, finished searching.
- No, refine this search and...
- Change file name or keywords
- Search for file name instead of keywords
- Change whether hidden and system files are included

You may also want to...

- Sort results by category
- View results differently
- Start a new search

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CONFIDENTIAL

P: Drive

Folder	Search Terms	Result
StoreOperations/ Control Building Services - RP	Global Property	None
	Brock	None
	exterior maintenance	None
	Idzior	None
	GPS	None
	Kominek	None
	National Contract	None
	Slimp	None
	sweep	None
	plow	None
	lawn	None
	Salt	None
	landscap	None
	BW Maintenance	None
	Brock Sweeping	None
	C&J	None
	Clarkston Scott's	None
	Commercial Sweeping	None
	Custom Lawn	None
	D&S	None
Field of Dreams	None	
Four Seasons	None	
Gordon's	None	
Perks	None	
Morin	None	
Power Sweeping Services	None	
TK Cleaning	None	

StoreOperations/Help Ticket NO SEARCH REQUIRED. ONE IRRELEVANT DOCUMENT

StoreOperations/Home Services NO DOCS IN FOLDER

StoreOperations/Barb Malek NO SEARCH REQUIRED. ONE FOLDER OF IRELEVANT DOCUMENTS

StoreOperations/BB MANUAL SEARCH: 4 IRRELEVANT DOCS RE: BIKES

StoreOperations/bellonte MANUAL SEARCH: 1 IRRELEVANT DOC RE: SALES

StoreOperations/CDaniels MANUAL SEARCH: 5 IRRELEVANT DOCS RE: CONTESTS/SURVEYS

StoreOperations/Chris T MANUAL SEARCH: 15 IRRELEVANT DOCS RE: HARDWARE SALES

StoreOperations/Communications Team Folder: MANUAL SEARCH: 7 IRRELEVANT DOCS RE: HARDWARE SALES.

StoreOperations/Customer Experience Competitive Shops: MANUAL SEARCH: 7
IRRELEVANT FOLDERS RE:
COMPETITOR'S IN-STOOR
DISPLAYS.

StoreOperations/dcd665 MANUAL SEARCH: NO DOCS IN FOLDER

StoreOperations/DemoMkt MANUAL SEARCH: 1 IRRELEVANT SPREADSHEET

StoreOperations/District 241 MANUAL SEARCH: IRRELEVANT RESTROOM PHOTOS

StoreOperations/District 40563 MANUAL SEARCH: 9 irrelevant docs

StoreOperations/DSmith MANUAL SEARCH: 3 irrelevant folders

StoreOperations/Elizabeth Shoemaker MANUAL SEARCH: 5 irrelevant folders

StoreOperations/ELT Meetings MANUAL SEARCH: 2 irrelevant pdf files.

StoreOperations/Express MANUAL SEARCH: irrelevant files re: gasoline promotions

StoreOperations/Big K Global Property None
Brock 54 irrelevant results for Brockton.

StoreOperations/Finance MANUAL SEARCH: one irrelevant doc

StoreOperations/floor tile needing replaced 4465 MANUAL SEARCH: no docs

StoreOperations/FT-PT Reports MANUAL SEARCH: irrelevant payroll spreadsheets.

StoreOperations/Germano MANUAL SEARCH: irrelevant docs re: Holiday sales.

StoreOperations/Greiner MANUAL SEARCH: irrelevant docs re: mannequins, theft and
returns.

StoreOperations/Helium & CO2 invoices MANUAL SEARCH: irrelevant lists of
invoices.

StoreOperations/Hicks MANUAL SEARCH: irrelevant spreadsheets re: sales

StoreOperations/Hillsborough, NJ Kmart Location Store 7197 3-14-05 MANUAL SEARCH:
irrelevant photos.

StoreOperations/Holiday Front End Refresher Tracking Tool MANUAL SEARCH: irrelevant
docs tracking associate holiday
training.

StoreOperations/Brimner Global Property None

StoreOperations/CARIBBEAN REGION Global Property None

StoreOperations/Information Security MANUAL SEARCH: no docs in folder

StoreOperations/Inventory MANUAL SEARCH: no docs in folder

StoreOperations/IT Holiday Coverage MANUAL SEARCH: no docs in folder

StoreOperations/IT Utilities MANUAL SEARCH: no docs in folder. (Just IT programs)

StoreOperations/Jang MANUAL SEARCH: irrelevant documents re: store sales

StoreOperations/Jesse MANUAL SEARCH: irrelevant docs re: holidays and training

StoreOperations/Joyce Bonzo MANUAL SEARCH: irrelevant docs.

StoreOperations/Categorey Management Support Global Property None

StoreOperations/Central Division Freeman Global Property None

StoreOperations/Central Region 522 - Andresen Global Property None

StoreOperations/Central Region 523 – Gary Sibilsky & Wayne Keller Global Property None

StoreOperations/Lordino-Zip Code MANUAL SEARCH: non-responsive docs re: surveys

StoreOperations/Macks MANUAL SEARCH: non-responsive

StoreOperations/Mark Hicks MANUAL SEARCH: non-responsive docs re: clothing sales

StoreOperations/Mark RMC MANUAL SEARCH: non-responsive docs re: merchandise Planning

StoreOperations/McQuilken MANUAL SEARCH: non-responsive docs re: sales/inventory

StoreOperations/Merchandising MANUAL SEARCH: no docs

StoreOperations/MiniRemodel MANUAL SEARCH: no docs

StoreOperations/MWM MANUAL SEARCH: non-responsive docs re: DC Conference

StoreOperations/Nelson MANUAL SEARCH: no-responsive docs re: sales figures

StoreOperations/No Home Merchandise MANUAL SEARCH: non-responsive docs re: products

StoreOperations/NONCONDENSED FINAL MERCH TRANSITION CALENDARS
MANUAL SEARCH: no docs

StoreOperations/owb MANUAL SEARCH: non-responsive documents re: gift registry and Sears Credit Card

StoreOperations/Palko, Joe MANUAL SEARCH: one non-responsive map

StoreOperations/Patterson MANUAL SEARCH: non-responsive Heroes At Home info.

StoreOperations/PEMCO 2-day Promotions MANUAL SEARCH: non-responsive docs re:
store promotions

StoreOperations/Pharmacy MANUAL SEARCH: non-responsive docs re: pharmaceutical
contracts

StoreOperations/PhoneAudit MANUAL SEARCH: non-responsive.

StoreOperations/PIMCO_ROP MANUAL SEARCH: non-responsive docs re: sales

StoreOperations/POSBluelight MANUAL SEARCH: no docs

W: Drive

Folder	Search Terms	Result
Building Services	Global Property	None
	Brock	15 non-responsive documents hit because documents contain "Peggy Brock."
	exterior maintenance	None
	Idzior	None
	GPS	None
	Kominek	None
	National Contract	None
	Slimp	8 Excel files of associate names including Timothy Slimp
	sweep	None
	plow	1 Word file stating Kmart had contract with Miller Landscape for snow plowing. Might be limited to corporate.
	lawn	16 excel files pulled for containing "Lawn & Garden" and "Lee Russshawn Lee." None relevant.
	Salt	18 files. None relevant. Hits for associate Ray Saltzman in associate lists
	landscap	9 files. All Hits for Miller Landscape in lists of contractors.
	BW Maintenance	None
	Brock Sweeping	None
	C&J	None
	Clarkston Scott's	None
	Commercial Sweeping	None
	Custom Lawn	None
	D&S	None
Field of Dreams	None	
Four Seasons	None	
Gordon's	None	
Perks	None	
Morin	16 irrelevant associate lists containing the names Sean Morin and Jim Morin.	
Power Sweeping Services	None	
TK Cleaning	None	
StoreOperations/Workfile	Global Property	None
	Brock	15 Excel files. All non-responsive hits for "Brockton"
	exterior maintenance	None
	Idzior	None

Store Op/StoreOperations8300

ACCESS DENIED

StoreOperations/Salary Audits	ACCESS DENIED
StoreOperations/Retail Services	ACCESS DENIED
StoreOperations/Restructure	ACCESS DENIED
StoreOperations/Real Estate Review Process	ACCESS DENIED
StoreOperations/Real Estate Legal Dept	ACCESS DENIED
StoreOperations/Perishable Inventory	ACCESS DENIED
StoreOperations/Loss Prevention	ACCESS DENIED

StoreOperations/Food Resume	Global Property	None
	Brock	None
	exterior maintenance	None
	Idzior	None

ONLY 3 DOCUMENTS IN "FOOD RESUME." ALL ARE
 IRRELEVANT. NO NEED TO RUN ANY SEARCHTERMS

GPS
 Kominek
 National Contract
 Slimp
 sweep
 plow
 lawn
 Salt
 landscap
 BW Maintenance
 Brock Sweeping
 C&J
 Clarkston Scott's
 Commercial Sweeping
 Custom Lawn
 D&S
 Field of Dreams
 Four Seasons
 Gordon's
 Perks
 Morin
 Power Sweeping Services
 TK Cleaning

DCBackupStats	ONE ENCRYPTED EXCEL FILE (LOOKS IRRELEVANT)
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TrivoliManager	Global Property	None
	Brock	None

exterior maintenance None
 Idzior None
 GPS
 Kominek
 National Contract
 Slimp
 sweep
 plow
 lawn
 Salt
 landscap
 BW Maintenance
 Brock Sweeping
 C&J
 Clarkston Scott's
 Commercial Sweeping
 Custom Lawn
 D&S
 Field of Dreams
 Four Seasons
 Gordon's
 Perks
 Morin
 Power Sweeping Services
 TK Cleaning

Process Re-engineering

Global Property None
 Brock None
 exterior maintenance None
 Idzior None

KIS

Global Property None
 Brock Four false-positive excel documents
 exterior maintenance None
 Idzior None

EXHIBIT E

SEE ENCLOSED TUBE

KMART PW 0034 – 0051