

# **EXHIBIT 1**

## Maura Grossman

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**From:** maura.grossman@uwaterloo.ca  
**Subject:** FW: BCBSM, Inc. v. Walgreen Co. - Follow-up on PDP  
**Attachments:** Summary Tables.pdf; Estimated Number of Responsive Documents and Estimated Prevalence Comparisons.pdf; Detail Regarding Original Collection as of August 22.txt; Detail Regarding Original Collection After August 22.txt; Detail Regarding Supplemental Collection.txt; Detail Regarding Combined Collection.txt

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**From:** Maura Grossman <maura.grossman@uwaterloo.ca>  
**Sent:** Saturday, September 16, 2023 8:10 PM  
**To:** Hibbert, Kelly <KHibbert@crowell.com>; Kirk, Shannon Capone <Shannon.Kirk@ropesgray.com>; Thomas, Jeane <JThomas@crowell.com>; Lewis, Brian <BLewis@crowell.com>; Ehrlich, Philip <Philip.Ehrlich@ropesgray.com>; Sheehan, Kristin <KSheehan@crowell.com>; Pine, Michael <Mpine@crowell.com>; Kingsolver, Justin <JKingsolver@crowell.com>; Gardiner, Kent <KGardiner@crowell.com>; McBrady, Stephen <SMcBrady@crowell.com>; Carry, George <GCarry@crowell.com>; Farrell, Timothy <Timothy.Farrell@ropesgray.com>; Bushofsky, Jeffrey J. <Jeffrey.Bushofsky@ropesgray.com>; Zagnoli, Charles <Charles.Zagnoli@ropesgray.com>; Smith, Nicholas <Nicholas.Smith@ropesgray.com>; bgilbertson@forsgrenfisher.com; vmccalmont@forsgrenfisher.com; Cobb, Emily A. <Emily.Cobb@ropesgray.com>  
**Cc:** Maura Grossman <maura.grossman@uwaterloo.ca>  
**Subject:** RE: BCBSM, Inc. v. Walgreen Co. - Follow-up on PDP

Counsel,

As promised, attached please find the information I committed to providing to the parties in the Appendix of the Preliminary Diagnostic Protocol (the "Validation Worksheet"). This Worksheet is comprised of (i) the Summary Tables, and (ii) the Estimated Number of Responsive Documents and Estimated Prevalence Comparisons, as well as supporting detail provided in four text files addressing the Original Collection as of August 22, the Original Collection After August 22, the Supplemental Collection, and the Combined Collection.

First, I'd like to note two small typos in the Appendix. On page 15, the italicized paragraph in the lower middle of the page should state "for each of the 13 Initial Plaintiff Groups" (not 28), and on the same page, II.1.C. should be "r-SAR" (not r-OAA). I apologize for these ministerial errors.

Second, I'd like to note that the numbers that the Initial Plaintiffs provided in their letters did not match the numbers in the spreadsheets they supplied. I have made explicit where I have relied on numbers from the letters or numbers from the spreadsheets, and in particular, which spreadsheet or page. I do not think the differences are material or alter any of the conclusions suggested by the data.

Finally, while the Estimated Number of Responsive Documents and Estimated Prevalence Comparison document should be self-explanatory, the Summary Tables may not be. As I said on Friday evening, I am happy to meet with the parties on Monday to explain how the numbers may be understood. The supporting detail provides the calculations used for computing the numbers that appear in the Summary Tables. All of the computations were calculated by a computer program directly from the Initial Plaintiffs' spreadsheets, so they should not contain computational errors. The detail documents explain the calculations in brief.

Please let me know if you'd like to convene on Monday, and if so when, or if you have any questions about the attachments.

Thanks,  
M.R.G.