

**QUESTION 3    THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK I  
OR IN EXAMPLIFY ANSWER SCREEN 3**

Proteus Corporation manufactures and sells board games and puzzle cubes, with manufacturing facilities throughout Michigan. Steve Daedalus is Proteus' General Counsel as well Senior Vice President of Manufacturing.

At the end of each quarter, at Daedalus' direction and solely for his review, the manufacturing department prepares a detailed report ("quarterly report") comparing the department's actual performance with its earlier, pre-quarter projections. Included in each quarterly report are supplies lost due to human or machine error, maintenance updates, and time lost due to injury or sickness, mechanical breakdowns, or other problems, as well as analyses of how and why the supplies or time were lost. After reviewing the quarterly report, Daedalus provides a quarterly update (in both oral and written form) on manufacturing to the corporation's Board of Directors.

On February 28, 2018, Leo Bloom was touring a manufacturing facility and, while walking near a conveyer belt, he fell on it and broke his arm. On September 12, 2018, Bloom sued Proteus Corporation in a Michigan circuit court on several negligence-based theories involving the failure to maintain and faulty design of the conveyor belt. A few days after Bloom filed the lawsuit, Daedalus briefed the Board of Directors about the lawsuit, and as part of his presentation, Daedalus gave the board members an analysis of the lawsuit ("lawsuit memo") prepared by a law-school intern working in the General Counsel's office.

On December 18, 2018, Bloom's lawyer served Proteus Corporation with two discovery requests: (1) a notice to depose Daedalus, and (2) a demand for all written records, created from July 1, 2017 to the present, in the possession of or created by or at the direction or supervision of Daedalus (which would include quarterly reports and the lawsuit memo). Proteus Corporation moved the circuit court for a protective order to quash all discovery requests involving Daedalus, arguing that the discovery requests (1) do not meet the general standards for discovery, and (2) seek privileged or otherwise protected information.

Applying Michigan law, set forth in detail the proper disposition of the motion, including:

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1. The limitations (if any) on the overall scope of discovery.

2. Whether the quarterly reports need to be produced.

3. Whether the lawsuit memo needs to be produced.

4. The proper scope of Daedalus' deposition if a deposition is permitted.

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