September 11, 2026 · Conversation with City counsel

Selected transcript passages supplied by Kyle Moring. Times follow his recording and are approximate. The recording controls exact wording. Counsel’s statements are their positions, not court rulings.

Native format and metadata

Original recording ~12:17–13:49

~12:17 · Kyle Moring

So for like Exhibit A, the, the main thing with that was,

~12:22 · Kyle Moring

I had asked for, you know, the, what was it on there?

~12:29 · Kyle Moring

Electronic copies and associated message metadata where feasible. And like, you guys gave me the PDF, but it doesn't have the metadata associated with it. And then on March 10th is when you guys, you know,

~12:41 · Kyle Moring

whoever... said in the red font that the native format that the city had was .MSG files, the .MSG files. And so that's what I wanted. You know, it has the metadata. I was told, you know, that wasn't,

~12:55 · Kyle Moring

they weren't capable of that at the time, but they obviously were.

~13:01 · Kyle Moring

And that's all I really want for that one, pretty much, the... they combined all the emails into a PDF file with like no actual metadata for each individual email.

~13:17 · Lea Ream, City Attorney

Okay, so your complaint is you want the metadata?

~13:20 · Kyle Moring

Yeah, I mean, that's what I requested for.

~13:27 · Lea Ream, City Attorney

Okay. It's helpful to hear you say those words. At least we understand what we're talking about.

~13:33 · Kyle Moring

Yeah, I mean, that's the overall the biggest thing is, you know, the native format of the files and it including the metadata.

Missing emails from the name search

Original recording ~21:35–22:29

~21:35 · Kyle Moring

I think the main thing was, too, with like the, you guys had included the KeyQL searches,

~21:43 · Kyle Moring

I mean, just seeing what was you know produced from that, because it's like I've said, there's even a significant amount of my own emails that are missing from the Moring-related search.

~21:56 · Kyle Moring

And I just don't understand how that's possible but

~22:05 · Lea Ream, City Attorney

um well if if you if if um

~22:14 · Lea Ream, City Attorney

if you can give us if you can show us what that is we're happy to talk about that with you like tell us what it is that you're saying that didn't turn up or whatever and

A concise list and technical questions

Original recording ~28:07–32:33

~28:07 · Austin Beck, DTRG Asst. Attorney

Well, those, Kyle, those, (unclear) what we want to do, is be able to go back to the City one more time and say, here's a list of things that will resolve this case, right?

~28:24 · Austin Beck, DTRG Asst. Attorney

And if we have it, we're more than happy to, you know, give it to you. If the answer that we get back, though, is we can't do that, I don't know where we go from there um

~28:39 · Austin Beck, DTRG Asst. Attorney

I mean, nothing that you're asking for,

~28:42 · Austin Beck, DTRG Asst. Attorney

to me, raises any red flag of, oh, it's going to be, you know, confidential or anything like that. It's all, um if it exists, we can do it. But if it requires the City to go, you know, hire someone to go run a,

~29:00 · Austin Beck, DTRG Asst. Attorney

you know, dig deep into the programming of some software, like we're probably not going to ask them to do that. If it's something that they can click a button on a program and run a report, that's fine.

~29:12 · Austin Beck, DTRG Asst. Attorney

But we need, what we need from you is a list. That's what we're doing on our end is compiling a list we can take back to Candias and to the IT folks and say, here's...

~29:25 · Austin Beck, DTRG Asst. Attorney

the things that if we get an answer to these, we can resolve this case, right? This is an exhaustive list of things. And then we can be able to know whether it's something we can produce,

~29:39 · Austin Beck, DTRG Asst. Attorney

in which case we'll do it or not, and we can give you that response. But it's just a lot to sift through. And like Lea was saying, we're trying – our goal is to not generate a bunch of billing for the city.

~29:53 · Austin Beck, DTRG Asst. Attorney

We, we you know, our goal is to, you know, simplify this and resolve it, especially in a case like this where we aren't really opposed. It's not like you're asking for something and the City saying no,

~30:07 · Austin Beck, DTRG Asst. Attorney

under no circumstances will we give it right. We're, we're we want to wrap this up. So the things Lea mentioned, if you can, work on those and a similar level of succinctness would really help us out.

~30:22 · Austin Beck, DTRG Asst. Attorney

So you can put it in, I want, you know, this report or whatever from this particular software. That's something we can turn around and explain to the City. But we are not technical like

~30:37 · Austin Beck, DTRG Asst. Attorney

You have a level of expertise in this stuff that we're not going to match, right? And that's fine. but we're trying to translate what you're giving us into an actionable item for the city staff to tell us, yes,

~30:52 · Austin Beck, DTRG Asst. Attorney

we can do this or we have this or not. Right? So that's our goal right now. And,

~30:59 · Lea Ream, City Attorney

Yeah I mean,

~30:59 · Austin Beck, DTRG Asst. Attorney

I think the judge is going to, be upset with both of us, right? If we can't come back after all this time with some progress, some of this stuff is answerable, right? We either have it or we don't.

~31:11 · Austin Beck, DTRG Asst. Attorney

We can give it to you or we can't. And we need to, you know, start knocking some of those those things out. But your role in that would be just as as simply and plainly as you can to try and... you know,

~31:27 · Austin Beck, DTRG Asst. Attorney

describe what the document type or the date range or whatever, like, you know, that something we can turn around and say, go search for this and get an answer back on, right? Does that make sense?

~31:40 · Kyle Moring

Yeah, I can do that.

~31:42 · Austin Beck, DTRG Asst. Attorney

Okay. And these are good examples that y'all walked through as I was listening here. So those are all things, you know, there were three or four things here where...

~31:51 · Austin Beck, DTRG Asst. Attorney

And it was you explained it in a way that was short, succinct, and was immediately something I could be able to convey to the IT to Bryan IT or to Candias or whatever without needing... as much, you know,

~32:08 · Austin Beck, DTRG Asst. Attorney

technical background.

~32:10 · Kyle Moring

Yeah I have a that's my fault. I have a problem doing that. But I can definitely make it more succinct. In just like layman's terms you know

~32:18 · Austin Beck, DTRG Asst. Attorney

That would be helpful for us because we will go ASAP and go

~32:25 · Austin Beck, DTRG Asst. Attorney

try and get a response one way or the other on each, you know, whatever it is.

~32:30 · Austin Beck, DTRG Asst. Attorney

But...

~32:31 · Kyle Moring

Okay, I can do that.

Complete exhibits and sensitive information

Original recording ~7:11–9:40

~7:11 · Lea Ream, City Attorney

Like it should be complete. And that may be complete. I don't know if that's an entire email stream - string or not, but it just should be complete. Right? If you're gonna offer that.

~7:25 · Kyle Moring

All right. So you mean like the full thread, even like the previous emails?

~7:28 · Lea Ream, City Attorney

Yeah, like it should be that. Yeah. Like it should show the whole thread

~7:32 · Kyle Moring

Okay.

~7:33 · Lea Ream, City Attorney

that you're um that that is an issue. And so so and then flipping to the next page. Let's see. It's this thing called Exhibit A. I'm not really sure what that is. It looks like. I'm just not sure what that is.

~7:53 · Lea Ream, City Attorney

So so if you if you did like complete copies on those first two, I don't think we would object to those. But I don't know what this is. So

~8:04 · Kyle Moring

All right, so that this one is just like the... the metadata for, it shows the actual metadata on that page. I understand what you're saying. So you'd want like the actual source file, like the copy of it.

~8:17 · Lea Ream, City Attorney

Yeah, I'm I'm just not sure what it is. And then because the two issues that we're looking at and that we would potentially be like arguing about is, um really, is it an authentic document? Which,

~8:30 · Lea Ream, City Attorney

like, is it a true and correct copy of this document?

~8:33 · Kyle Moring

Okay

~8:33 · Lea Ream, City Attorney

Right? And so, and I'm just not certain what that is. But I don't think that's a document. I don't think we could, you know, we would object to that. I'm not sure what it is. It seems like it has...

~8:46 · Lea Ream, City Attorney

a lot of other communications and things on it. And so all of those are basically hearsay, right? And they're not necessarily evidence at all.

~8:55 · Lea Ream, City Attorney

They might be what you think about it or what someone else thinks about it. But that is not something that is really admissible.

~9:04 · Kyle Moring

Right. I understand what you're saying. The reason I did it like that was mainly because I have the actual, you know, native file, but the stuff that's associated in that native file, there's like unredacted,

~9:16 · Kyle Moring

you know, social security numbers and CPS history. But I get what you're saying. They just want like the actual printout of the native file.

~9:24 · Lea Ream, City Attorney

Yeah. Yeah. And so.

~9:28 · Lea Ream, City Attorney

And if you need to like redact stuff because it's got sensitive information in it or something like that,

Electronic inspection copies

Original recording ~17:16–18:55

~17:16 · Kyle Moring

That was the

~17:17 · Lea Ream, City Attorney

HS Cloud.

~17:18 · Kyle Moring

Yeah, the printout that the City gave me. Well, it was print-to-scan um

~17:27 · Kyle Moring

And like, if you know, if you can tell it says on there, like the URL at the bottom is shows that it's, you know, contained in electronic storage, like on the cloud um

~17:38 · Kyle Moring

And the City's own contract shows that they have the ability to do the print-to-PDF, which contains metadata. The print-to-scan erases the metadata.

~17:51 · Kyle Moring

And that's, again, you know, what I've been asking for. And and some of the records that have been provided to other entities like DSHS, in their productions, the City provides a PDFKit,

~18:01 · Kyle Moring

which is like the type of metadata associated with an electronic export. Um...

~18:06 · Kyle Moring

It's on theirs, but on the ones they give me, they print-to-scan.

~18:16 · Lea Ream, City Attorney

Um okay, and so this, but for our purposes, in terms of talking about the admissibility of this, yeah, you would, you would as we talked about earlier, you'd remove all the extraneous stuff so

~18:30 · Overlapping speakers

[Overlapping speech; wording unclear]

~18:43 · Kyle Moring

that's the exact document that was given to me.

~18:44 · Lea Ream, City Attorney

Okay. Okay. Great. Yeah. I'm not sure. Like, um, that's partially like, but that's good that, you know,

Preserving search history

Original recording ~25:09–26:56

~25:09 · Lea Ream, City Attorney

And then you asked something about the preservation.

~25:15 · Lea Ream, City Attorney

Um. I'm to be honest, I'm not really sure what it is you're asking us to preserve. I mean, governmental agencies have duties to preserve records as it is. And so I'm not really sure what what you're asking um

~25:28 · Lea Ream, City Attorney

I think you said it's in paragraph 15, right?

~25:32 · Kyle Moring

Yeah, and it's mainly just the Purview stuff and e-discovery, like whatever they ran for the KeyQL searches. You guys showed in one of the exhibits that it still has it saved from like the January 13th one.

~25:42 · Kyle Moring

And that's that's kind of what I'm just focused on.

~25:47 · Lea Ream, City Attorney

Okay.

~25:49 · Lea Ream, City Attorney

So, I mean, we have a duty to keep documents. And I don't know, you know, um if I understood better, like if you could show me like, okay, this is what I'm looking for to be kept, this document.

~26:02 · Lea Ream, City Attorney

I'd at least understand what you're saying, but I'm not following what it is. Is there an example?

~26:08 · Kyle Moring

I don't have any. It's just the Purview, the audit logs on those. I mean, they they create them you know natively with the software, but I know that some...

~26:21 · Kyle Moring

Purview and e-Discovery, it depends on like the the Microsoft subscription you have. Some start writing over them after a certain period of time. I think you guys have the highest one, but the

~26:31 · Kyle Moring

so it shouldn't be that, you know, a problem.

~26:37 · Lea Ream, City Attorney

Okay. So could you send that to me in an email? So I understand, like, I understand what it is, like the way you said it, um, you're wanting the, the Microsoft, whatever that is not written over,

~26:51 · Lea Ream, City Attorney

that would be helpful for me to know what it is you're asking about.

~26:54 · Kyle Moring

Okay. I can do that.