2.B. Checklist for Dawn Raid Responsible Persons and Deputies

The following instructions are for the Responsible Person or someone appointed to take on the RP’s responsibilities.

1) If you have prepared a calling list, **immediately instruct the reception to call the people on the list** in a specified order to inform of the dawn raid and ask that they come to the site as soon as possible.

2) Inform **Stora Enso IT** (for contact details see 3.A Contact Details to Internal Counsels and Departments and 3.B Contact Details to External Counsels) of the inspection and request them to supervise the inspection of electronic documents and to assist the inspectors (ensure they have access to the 2.D. Checklist for IT department).

3) Check the **personal identification** of the inspectors.

4) Check the credentials of the inspectors (**inspection decision**) in order to find out the scope of the inspection in respect of the alleged infringement(s) and in respect of the relevant:
   a) companies subject to the inspection and their addresses
   b) date of the inspection
   c) products
   d) countries
   e) time periods
   f) documents.

5) Instruct the reception to **take copies** of the personal identification of the inspectors and the inspection decision (if this has not already been done).

6) Note that within the EU, the inspectors can be empowered to carry out the inspection by either an
   a) Authorization, or a
   b) European Commission Decision.

   A company is only legally obliged to submit to an inspection where the inspectors are acting under a *European Commission Decision*. However, it is Stora Enso's policy to cooperate with the inspectors and no decision should be taken to refuse to cooperate with an inspection or to withdraw cooperation with such an inspection without taking legal advice.
7) Set aside a room to be used for the collection of the files and papers the inspectors wish to read, also to be used for them when they ask relevant questions, as well as arrange for photocopying.
   a) **Make sure that the room does not contain any documents or archives.**
   b) Accompany the inspectors to the empty room.

Appoint

a) One or two persons to assist with administrative matters

b) At least one person per inspector that shall accompany each of the inspectors at all times when they are conducting the inspection, so called Inspection Shadows. Note: the external legal counsel will usually support with this instead, but Stora Enso personnel may be needed until the arrival of the external counsel if the inspectors want to start the search).

i) Provide a copy of the inspection decision to each person and explain what the scope of the inspection is and that any questions shall be referred to you or Legal.

ii) Provide a copy of **2.C. Checklist for Inspection Shadows** for them to follow

iii) Instruct the person(s) to make notes (use e.g. **3.C Template Protocol for Searched Documentation**) of
   1. all documents being looked through or copied,
   2. search words used by the inspectors,
   3. all inspected rooms, filling cabinets, vehicles, information systems, laptops, etc., and
   4. all discussions, questions and answers between the inspectors and Stora Enso staff.

iv) Instruct that at least three identical copies of each document are always made (one for the inspectors, one for Stora Enso, and one for Legal/external counsel) - including electronic files.

9) Arrange a kick-off meeting with the inspectors. In the meeting, the scope of the investigation must be made absolutely clear. Go through the inspection decision with the inspectors and ask the following questions:
   a) What market/products does the inspection concern?
   b) What period of time does the inspection relate to?
   c) Are the inspectors particularly interested in certain customer or competitor relationships?
   d) Are there certain members of Stora Enso’s management or personnel, whom the inspectors are especially interested in? Whose offices do the inspectors want to examine?
   e) Are there any specific documents the inspectors want to look through?
   f) Do the inspectors have any plans or requests regarding the inspection?
   g) Any other issues that require clarification.
10) When possible, a **lawyer shall always be present during any form of interview** with Stora Enso staff. Note that

  a) If the inspectors ask questions it is normally the company (not the inspectors) that is entitled to decide who should provide the explanation, but if the inspectors demand to speak to a specific person who logically could easily provide an explanation (such as the author of a document) the person should be made available to the inspectors.

  b) If the best qualified person is not available, or if the information necessary to answer the question is not available, this shall be explained to the inspectors with an offer to provide the explanation later in writing.

  c) If questions are answered they should be answered as to facts, but without any assessments or personal reflections, and if the answerer is uncertain this should be mentioned. Note that there are no obligations to provide information that amount to self-incrimination.

  d) Detailed notes shall be made of all oral explanations concerning records requested by the inspectors and of the explanations given. A copy of the notes taken by the inspectors shall be requested.

11) **Set aside a room** to be used by external lawyers and Stora Enso employees to

   a) which they can retreat at any time during the inspection,

   b) hold a debriefing session after the inspectors have left the premises. At this session, all note takers shall report what has happened during the inspection.

12) **Collect copies of all notes and documents** that have been copied and handed to the inspectors, and shall

   a) ascertain whether any **confidential information** has been provided to the authorities, and

   b) advise the inspectors that some of the documents they have requested may contain confidential information and that the inspectors, following the investigation, will be supplied with information on which documents that are confidential.

13) Inform the inspectors that Stora Enso requests to be present during all searches of digital material after indexing and agree with the inspectors how this will be done, i.e. if it should be done on or off-site.

14) Arrange so that there are safety measures in place to avoid that documents are being tampered with or destroyed during the investigation. If the inspectors are not finished during in one day, ensure that the **seal affixed by the investigators cannot (with or without intention) be broken** by anyone employed or hired by Stora Enso (consider placing security guards in front of the sealed room).

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**GENERAL DO’S**

**Do** remain calm, polite and helpful towards the inspectors.

**Do** remember that Stora Enso’s policy is to cooperate fully with the investigations of the competition authorities.

**Do** remember that Stora Enso is under a legal duty to submit to the inspection and has a general duty to co-operate. It is in the best interest of Stora Enso to create an impression of open co-operation whenever possible.

**Do** make sure the inspectors are accompanied at all times.

**Do** make sure that you know the reason and purpose of the inspection.

**Do** ensure that search terms and documents are within the scope of the investigation.

**Do** request Legal to be present in interviews.

**Do** keep the internal communication within Stora Enso about the inspection to a minimum and discuss with Legal and Communication how to communicate.
<table>
<thead>
<tr>
<th><strong>GENERAL DON’TS</strong></th>
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<tbody>
<tr>
<td><strong>Do not</strong> keep the inspectors hanging around too long in the reception.</td>
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<tr>
<td><strong>Do not</strong> resist or obstruct the investigation.</td>
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<td><strong>Do not</strong> adopt a defensive attitude to the inspectors.</td>
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<td><strong>Do not</strong> volunteer any information beyond what is asked.</td>
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<td><strong>Do not</strong> modify, hide or destroy possibly incriminating documents, including e-mails and electronically stored information in any circumstances or remove them from the premises.</td>
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<td><strong>Do not</strong> delete files from your computer, <em>even if they are private or embarrassing</em>.</td>
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<td><strong>Do not</strong> sign anything without first obtaining legal advice.</td>
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<td><strong>Do not</strong> warn third parties of the investigation (other than Stora Enso’s external legal counsel).</td>
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<tr>
<td><strong>Do not</strong> discuss the inspection with anyone outside of Stora Enso (e.g. if contacted by the media).</td>
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<tr>
<td><strong>Under no circumstances should Stora Enso’s staff provide any false or misleading information to investigators, tamper with or destroy documents during an investigation, break a seal affixed by investigators or try to hinder the investigation in any way.</strong></td>
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