Program Description:
Enhance your e-discovery skills by joining us for a comprehensive and practical program that will help you:
- Maintain security for produced data
- Release litigation holds in a timely fashion
- Transfer European data for use in U.S. discovery
- Conduct ethical search of data and protect privilege
- Appreciate judicial perspectives on proportionality and sanctions

Join the conversation with
#ABAediscovery18
Register Now!

<table>
<thead>
<tr>
<th></th>
<th>Early Bird Rate</th>
<th>Advance Rate Effective April 9, 2018</th>
<th>Standard Rate Effective May 4, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Public</td>
<td>$590</td>
<td>$760</td>
<td>$925</td>
</tr>
<tr>
<td>ABA Members</td>
<td>$550</td>
<td>$710</td>
<td>$865</td>
</tr>
<tr>
<td>ABA Section of Litigation</td>
<td>$510</td>
<td>$660</td>
<td>$800</td>
</tr>
<tr>
<td>Government Lawyers</td>
<td>$535</td>
<td>$685</td>
<td>$825</td>
</tr>
</tbody>
</table>

The ABA reserves the right to correct all typographical errors. Fees do not include travel or lodging. To register, visit www.ShopABA.org/insert url

ABA CLE National Institutes bring you face-to-face with nationally recognized experts on substantive topics—often while fulfilling most of your annual CLE requirements.
Faculty

Thomas Allman
Adjunct Professor of Law
University of Cincinnati
College Of Law
Cincinnati, OH

John Barkett
Partner
Shook, Hardy & Bacon
Miami, FL

Hon. Joy Flowers Conti
Chief U.S. District Judge
US District Court – Western
District of Pennsylvania
Pittsburgh, PA

Andrea D’Ambra
Partner
Norton Rose Fullbright
New York, NY

Hon. Robert Dow, Jr.
US District Judge
US District Court – Northern
District of Illinois
Chicago, IL

Natascha Gerlach
Senior Attorney
Cleary Gottlieb
Brussels, Belgium

David Greenwald
Partner
Jenner & Block
Chicago, IL

Maura Grossman
Research Professor
University of Waterloo
Waterloo, ON Canada

Alison Grounds
Partner
Troutman Sanders
Atlanta, GA

Hon. Iain Johnston
US Magistrate Judge
US District Court – Northern
District of Illinois
Rockford, IL

Corey Lee
Partner
Hunton & Williams
Miami, FL

Annika Martin
Partner
Lief Cabrerse Heimann & Bernstein
New York, NY

Jana Limer Mills
Director & Senior Attorney
American Airlines
Fort Worth, TX

Hilda Ortiz
eDiscovery Program Manager
PayPal
Chandler, AZ

Daniel Regard
Chief Executive Officer
iDiscovery Solutions
Washington, DC

John Rosenthal
Partner
Winston & Strawn
Washington, DC

Hon. Mary Rowland
US Magistrate Judge
US District Court – Northern
District of Illinois
Chicago, IL

Emily Schlesinger
Senior Attorney
Microsoft
Redmond, WA

Lauren Schwartzreich*
Shareholder
Littler Mendelson
New York, NY

Dominique Shelton
Partner
Perkins Coie
Los Angeles, CA

Jaime Skinner
Senior Corporate Counsel
Caterpillar
Peoria, IL

Martin Tully
Partner
Actuate Law, LLC
Chicago, IL

Kelly Warner
Partner
Riley Safer Holmes & Cancila
Chicago, IL

Patrick Zeller
Privacy Officer & Sr. Counsel
Gilead Sciences
Foster City, CA

James Zucker
Counsel
Patterson Belknap Webb & Tyler
New York, NY

*Program Chair
### Friday, May 18, 2018

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30 a.m.</td>
<td><strong>Registration</strong></td>
</tr>
<tr>
<td>8:00 a.m.</td>
<td><strong>Opening Remarks</strong></td>
</tr>
</tbody>
</table>
| 8:15 a.m. | **Careful What You Wish For: Protecting Data Security in Discovery**  
*Speakers:* Hon. Joy Conti, Martin Tully, Annika Martin, Dan Regard  
*Moderator:* Lauren Schwartzreich  
With the prolific use of data for business and personal matters, discovery often implicates disclosure of sensitive ESI. But maintaining data security and privacy in the conduct of discovery can present serious challenges for those who have taken great pains to protect their confidential, sensitive information. This is because the discovery process not only can move sensitive data to a less secure environment, but it can also refine and concentrate the value of the information being produced, making it even more valuable to unauthorized persons who may wish to access it. The increasing threat of hacking by malicious actors, particularly against large organizations and law firms, creates a dire situation where sensitive data is produced and stored on law firm-owned data sources such as computers, servers, or the cloud. Further, traditional protective orders may not adequately protect producing parties from having their sensitive information acquired or accessed by unauthorized parties. This panel will explore data security and privacy issues in discovery, how parties should address these concerns, and how courts might help parties to fairly resolve these issues. |
| 9:15 a.m. | **Judicial Perspectives: Reasonableness, Proportionality, and Sanctions**  
*Moderator:* Tom Allman  
A panel of experienced federal court judges will provide their perspectives on pressing and important e-discovery issues facing litigators and courts, including what constitutes reasonable efforts for preserving and producing ESI, how proportionality is evaluated, what role “inaccessibility” arguments play for objections and cost shifting, and when spoliation sanctions may be appropriate. Additionally, the judges will weigh in on local pilot projects aimed at expediting e-discovery and reducing e-discovery disputes, as well as The Sedona Conference Principles, Third Edition, 19 Sedona Conf. J. 1 (forthcoming 2018). |
| 10:45 a.m. | **Break**                                                              |
| 11:00 a.m. | **A New E.U. Framework: Internal Investigations, Discovery, and Data Protection Rules**  
*Speakers:* Emily Schlesinger, Dominique Shelton, Patrick Zeller  
*Moderator:* Natascha Gerlach  
With a new data protection regulation coming into force in the E.U., organizations may soon face the difficult task of conducting internal investigations and e-discovery collections that touch on data protected by the new law and the heavy fines it imposes for violations. This panel will examine what happens when potential claims under U.S. law implicate data protected in the EU, including how to handle internal investigations and full blown e-discovery. |
| 12:00 p.m. | **Luncheon Buffet**                                                   |
| 12:30 p.m. | **Case Law Update**                                                   
*Speaker:* John Rosenthal  
A curated review of timely do-not-miss e-discovery case law. |
| 1:30 p.m. | **Break**                                                              |
| 1:45 p.m. | **Perfect Timing: The Right Time to Release Legal Holds**  
*Speakers:* Jana Limer, Hilda Ortiz, Jaime Skinner  
*Moderator:* Kelly Warner  
Knowing when to release legal holds is easier said than done. Organizations with large volumes of data, turnover in pending legal matters, complex information technology infrastructure, outdated legacy systems, and increasing storage costs are often balancing competing interests when deciding the right time to lift legal holds on data. This panel of experienced in-house legal and litigation team members will provide practical advice for managing legal holds and finding the right opportunity and strategy for releasing them. |
<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Presenter(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2:45 p.m.</td>
<td><strong>Seeing the Forrest Through the Trees: Protecting Privilege in Complex Discovery</strong></td>
<td>David Greenwald, Alison Grounds, Corey Lee, Andrea D’Ambra</td>
</tr>
<tr>
<td></td>
<td>Protecting privilege in discovery is a high-stakes endeavor that causes panic in the hearts of in-house and outside legal counsel. The costs for protecting privilege in a complex case can be astronomical, but there are useful strategies litigators can employ to reduce the risk of privilege waiver via document production and mitigate privilege review and logging costs. A panel of experienced litigators will explore strategies for reaching agreements with opposing counsel concerning privilege issues, creating efficiencies in privilege review and logging, resolving technology issues that impact privilege review and logging (e.g., email threads, hidden content, and encrypted files), managing large scale privilege review, and negotiating adequate Fed. R. Evid. 502(d) agreements.</td>
<td></td>
</tr>
<tr>
<td>3:45 p.m.</td>
<td><strong>Break</strong></td>
<td></td>
</tr>
<tr>
<td>3:50 p.m.</td>
<td><strong>Inside the Black Box: Search, Artificial Intelligence, and Ethics</strong></td>
<td>Maura Grossman, James Zucker, John Barkett</td>
</tr>
<tr>
<td></td>
<td>It is well settled that responding parties are best situated to evaluate the procedures, methodologies, and technologies for producing their own ESI. This panel of ethics and electronic search experts will explore the procedural and ethical considerations that guide responding parties’ search for discoverable ESI. The panel will address to what extent lawyers may: (a) delegate search responsibilities to algorithms, technology assisted review, or artificial intelligence; and (b) leverage more traditional forms of search.</td>
<td></td>
</tr>
<tr>
<td>4:50 p.m.</td>
<td><strong>Closing Remarks</strong></td>
<td>Lauren Schwartzreich</td>
</tr>
<tr>
<td>5:00 p.m.</td>
<td><strong>Adjourn</strong></td>
<td></td>
</tr>
</tbody>
</table>
### Step 1: Registration Rates

<table>
<thead>
<tr>
<th></th>
<th>Early Bird Rate</th>
<th>Advance Rate Effective April 9, 2018</th>
<th>Standard Rate Effective May 4, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Public</td>
<td>$590</td>
<td>$760</td>
<td>$925</td>
</tr>
<tr>
<td>ABA Members</td>
<td>$550</td>
<td>$710</td>
<td>$865</td>
</tr>
<tr>
<td>ABA Section of Litigation</td>
<td>$510</td>
<td>$660</td>
<td>$800</td>
</tr>
<tr>
<td>Government Lawyers</td>
<td>$535</td>
<td>$685</td>
<td>$825</td>
</tr>
</tbody>
</table>

The ABA reserves the right to correct all typographical errors. Fees do not include travel or lodging. To register, visit www.ShopABA.org/insert url.

### Step 2: Section Membership

- Section of Litigation - $60

### Step 3: Your Information

- Name
- Law Firm/Organization
- Address
- City
- Address Suite/Apt.
- Telephone
- City State Zip Code
- Email
- ABA Member ID

The ABA and many of its entities provide content through email. We do not share email addresses with anyone outside the ABA.

### Step 4: Your Total Due Amount

- Registration Rate (from Step 1)
  - $590
  - $550
  - $510
  - $535
- ABA Section of Litigation - $60 (from Step 2)
  - $60

**Total**: $_____

### Step 5: 4 Easy Ways to Register

- Call (800) 285-2221
- Fax this form to (312) 988-5850
MCLE

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 7.5 CLE credit hours in 60-minute states including 1.0 ethics and 9.0 credit hours in 50-minute-hour states including 1.25 ethics credit. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit http://www.americanbar.org/groups/cle/mandatory_cle.html

Scholarships
For more information on scholarships, visit www.americanbar.org/groups/cle/scholarship.

Attire
Business casual attire is appropriate for all activities.

Attendees with Special Needs
Please specify your special needs below. To ensure your request is fulfilled, the registration form must be received by September 19, 2017. For questions, please contact staff designee Donna Williams, Meetings Manager, at donna.williams@americanbar.org; 312.988.6210.

Every effort will be made to accommodate advance requests; onsite requests cannot be guaranteed.

I will need the following accommodations:

- Roll-in shower
- Shower/tub chair
- Visual alerts (fire and other emergency alarms, door knocks, phone calls)
- Audible alerts/alarms
- Scent free
- Wheelchair/Mobility Device Accessible
- Other (please specify):

- A personal care attendant will be accompanying me.
- A service animal will be accompanying me.
- I will be using a mobility device at the conference.
- Additional needs (please specify): ________________

Cancellations
Cancellations received five business days or more before the program will receive a full refund, less a $50 cancellation fee. No refunds will be provided for cancellations after that date; however, substitute registrants are welcome at any time. To cancel your registration or substitute another individual, please call the ABA at (800) 285-2221 or fax your request to (312) 988-5850. Registrants who do not cancel within the allotted time period and who do not attend the program will receive a copy of the program course materials after program completion.

Group Rates
Save when you register one or more attorney for this National Institute.
3-5 attendees - save 5%
6-10 attendees - save 10%
10+ attendees - contact the ABA Center for Professional Development
To register your group of 3 to 10 and receive the discount, please call the ABA Service Center at 800-285-2221.

In-Person Registration
If you plan to register in person, please call the ABA at least 24 hours in advance to confirm that the program is being held as scheduled and that space is available. Cash payments will not be accepted.

Program Confirmation
Written confirmation of your registration will be sent to you upon receipt. If you do not receive the confirmation notice prior to the program, please call the ABA at (800) 285-2221 at least 24 hours in advance to confirm that your registration was received and that the program is being held as scheduled.

Hotel Information
Sleeping accommodations at a specific hotel have not been selected by the ABA. Feel free to visit www.americanbar.org/preferred to search the directory.

ABA Negotiated Airfare Discounts—Available Online!
With ABA Egencia*, you can automatically obtain ABA negotiated airfare discounts for travel to the ABA Meetings. ABA Egencia enables you to purchase the best airfare at the time of booking, by providing you with the ability to search for and compare fares from virtually every airline serving the destination.

Reservations with ABA Egencia can be made online or offline. For offline reservations, call (877) 833-6285. ABA Egencia is available online via ABA Travel Services*. ABA airfare discounts on some carriers may also be obtained by purchasing your tickets under the ABA Discount Codes directly from the airline or through your travel agent.

American Airlines ABA Discount only available at ABA Egencia
United Airlines 800-426-1122 For ABA Meetings Only - Agreement Code: 633818 / Z Code: ZE6X
Egencia * A Travel Profile is required when booking airline reservations with ABA Egencia, click for more information.

Standing Committee on Continuing Legal Education
Under the guidance of the Standing Committee on Continuing Legal Education, the Center for Professional Development administers and produces National Institutes, webinars, and other technology-based products and written course materials to assist lawyers’ professional development efforts.