



Twelfth Annual National Institute on E-Discovery

May 18, 2018
American Bar Association | Chicago, IL





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

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Register Now!

	Early Bird Rate	Advance Rate Effective April 9, 2018	Standard Rate Effective May 4, 2018
General Public	\$590	\$760	\$925
ABA Members	\$550	\$710	\$865
ABA Section of Litigation	\$510	\$660	\$800
Government Lawyers	\$535	\$685	\$825

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Friday, May 18, 2018	
7:30 a.m.	Registration
8:00 a.m.	Opening Remarks
8:15 a.m.	<p>Careful What You Wish For: Protecting Data Security in Discovery Speakers: Hon. Joy Conti, Martin Tully, Annika Martin, Dan Regard Moderator: Lauren Schwartzreich</p> <p>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.</p>
9:15 a.m.	<p>Judicial Perspectives: Reasonableness, Proportionality, and Sanctions Speakers: Hon. Joy Conti, Hon. Robert Dow, Hon. Iain Johnston, Hon. Mary Rowland Moderator: Tom Allman</p> <p>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).</p>
10:45 a.m.	Break
11:00 a.m.	<p>A New E.U. Framework: Internal Investigations, Discovery, and Data Protection Rules Speakers: Cameron Krieger, Emily Schlesinger, Dominique Shelton Moderator: Natascha Gerlach</p> <p>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.</p>
12:00 p.m.	Luncheon Buffet
12:30 p.m.	<p>Case Law Update Speaker: John Rosenthal</p> <p>A curated review of timely do-not-miss e-discovery case law.</p>
1:30 p.m.	Break
1:45 p.m.	<p>Perfect Timing: The Right Time to Release Legal Holds Speakers: Katelyn Flynn, Jana Limer, Hilda Ortiz Moderator: Kelly Warner</p> <p>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.</p>

2:45 p.m.	<p>Seeing the Forrest Through the Trees: Protecting Privilege in Complex Discovery Speakers: David Greenwald, Alison Grounds, Corey Lee Moderator: Andrea D’Ambra</p> <p>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.</p>
3:45 p.m.	<p>Break</p>
3:50 p.m.	<p>Inside the Black Box: Search, Artificial Intelligence, and Ethics Speakers: Maura Grossman, James Zucker Moderator: John Barkett</p> <p>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.</p>
4:50 p.m.	<p>Closing Remarks Speaker: Lauren Schwartzreich</p>
5:00 p.m.	<p>Adjourn</p>



Step 1: Registration Rates

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Step 2: Section Membership

Section of Litigation - \$60

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Name _____

Law Firm/Organization _____

Address _____ Suite/Apt. _____

City _____ State _____ Zip Code _____

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Step 4: Your Total Due Amount


Registration Rate (from Step 1) 4A \$ _____

ABA Section of Litigation - \$60 (from Step 2) 4B \$ + _____

Total \$ _____

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-  Visit [http: www.ambar.org/edv2018](http://www.ambar.org/edv2018)
-  Call (800) 285-2221
-  Fax this form to (312) 988-5850

 Complete and mail this form:

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Event Registration Unit
321 N Clark St., FL 16
Chicago, IL 60654-7598

MCLE

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Scholarships

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

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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:

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 Other (please specify): _____
 Communication Access Realtime Translation (CART) (realtime speech to text translation displayed on computer or large screen)
 Captioned videos Notetaker Reader
 Assistive Listening Devices: Hearing/Induction Loops FM Systems Infrared Systems Other (please specify): _____
 Headphones/Earbuds to Connect to Assistive Listening System
 Materials in Alternative Formats:
 Large Print (specify font size: _____)

- Braille Audio Digital Files Flash Drive/CD
 Orientation by staff to the facility/meeting site

- Special Diet: Vegetarian Vegan Gluten-free
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- Accessible Transportation: Event _____
 Date(s) _____ Time(s) _____
 Location(s) _____

ADA Accessible Guestroom:

- 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

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- 3-5 attendees - save 5%
 6-10 attendees - save 10%
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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.

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