Program Description:
Join nationally acclaimed e-discovery lawyers, judges, consultants, and in-house counsel from corporate law departments including Microsoft, Allstate, and Wickr, as they convene for a full day to analyze and discuss the latest developments and best strategies for managing the e-discovery process. The 13th Annual National Institute on E-discovery will provide practical guidance for navigating cutting-edge e-discovery issues in civil litigation, including developing strategies for:

- discovery of data in the cloud
- leveraging blockchains for evidence
- managing ephemeral messages
- navigating early discovery pilot programs
- maintaining ethical obligations in discovery
- staying on the good side of the judge

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Ice Miller
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Partner
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Chicago, IL

Karen Wagshul
Corporate Counsel
Allstate Insurance
Northbrook, IL

** Faculty subject to change without notice

Program Chair *
# Agenda

**Friday, April 26, 2019**

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tbody>
<tr>
<td>7:30 a.m.</td>
<td>Registration</td>
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<tr>
<td>8:00 a.m.</td>
<td>Opening Remarks</td>
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<tr>
<td>8:15 a.m.</td>
<td><strong>Stormy Skies: Harnessing the Cloud for E-Discovery</strong></td>
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<td></td>
<td><strong>Speakers:</strong> Mara Arenson, Adam Cohen, Karen Wagshul</td>
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<td><strong>Moderator:</strong> Corey Lee</td>
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<td></td>
<td>Organizations routinely store data in the cloud and use cloud platforms for e-discovery purposes. This panel will examine common e-discovery risks and benefits associated with preserving, collecting, and producing data from the Cloud. The panel will discuss strategies for managing retention of cloud data, data privacy implications of storing data in the cloud, and risks inherent in using cloud applications for discovery purposes, including data security, protecting confidentiality, and anticipating collection limitations.</td>
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<td>9:15 a.m.</td>
<td><strong>Now You See Me, Now You Don’t: Discovery of Ephemeral Messages</strong></td>
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<td><strong>Speakers:</strong> Guillermo Christensen, Phil Favro, Chris Howell</td>
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<td><strong>Moderator:</strong> Lauren Schwartzreich</td>
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<td>Ephemeral messages are an increasingly popular way for people to communicate, but what risks do ephemeral messages pose to e-discovery? This panel will explore what ephemeral messaging means; whether such messages truly disappear; how they can (or can’t) be preserved, collected, or produced; and how their usage impacts obligations under data privacy laws.</td>
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<tr>
<td>10:15 a.m.</td>
<td>Break</td>
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<tr>
<td>10:30 a.m.</td>
<td><strong>Evolving Ethical Considerations in E-Discovery</strong></td>
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<td><strong>Speakers:</strong> Alison Grounds</td>
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<td><strong>Moderator:</strong> John Barkett</td>
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<td>Lawyers face an ever-evolving landscape of complex technological and legal issues as new technologies create new sources of data and new tools for evidence analysis. Understanding the benefits and risks of various technologies is a basic competency requirement in an evolving legal landscape. This panel will present real-world examples and guidance for navigating these challenges.</td>
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<tr>
<td>11:30 a.m.</td>
<td>Luncheon Buffet</td>
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<tr>
<td>12:00 p.m.</td>
<td><strong>E-Discovery Case Law Update</strong></td>
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<td><strong>Speaker:</strong> John Rosenthal</td>
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<td>A curated review of timely do-not-miss e-discovery case law presented by one of the leading eDiscovery litigators in the nation.</td>
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<td>1:00 p.m.</td>
<td>Break</td>
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<td>Time</td>
<td>Session</td>
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<tr>
<td>1:15 p.m.</td>
<td><strong>Building Blocks for Litigation: Leveraging Blockchains in Discovery</strong></td>
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<td><strong>Speakers:</strong> Joanne Lee Molinaro, Robert Musiala, Eric Schwarz</td>
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<td><strong>Moderator:</strong> Martin Tully</td>
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<td>Blockchains are all the rage for crypto-currencies and smart contracts,</td>
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<td>but what does the increased use of blockchains mean for discovery? This</td>
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<td>panel will explain what blockchains are and how they are useful to</td>
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<td>evidence authentication, and then provide practical suggestions for</td>
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<td>collecting, evaluating and producing blockchain data in litigation.</td>
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<td>2:15 p.m.</td>
<td><strong>Pilot Perspectives: Evaluating an Early Discovery Pilot Program</strong></td>
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<td><strong>Speakers:</strong> Timothy Hudson, Thomas Staunton, Jordan Vick</td>
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<td><strong>Moderator:</strong> Martin Tully</td>
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<td>The Mandatory Initial Discovery Pilot Program has been in place for</td>
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<td>almost two years, providing a series of standard discovery requests and</td>
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<td>expediting early discovery. This panel will discuss the intent of the</td>
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<td>pilot project, litigation experiences within the program, and predictions</td>
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<td>for the future of the program.</td>
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<td>3:00 p.m.</td>
<td><strong>Break</strong></td>
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<tr>
<td>3:30 p.m.</td>
<td><strong>Judicial Perspectives on E-Discovery</strong></td>
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<td><strong>Speakers:</strong> Hon. Sarah Ellis, Hon. Katharine H. Parker</td>
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<td><strong>Moderator:</strong> David Kessler</td>
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<td>A panel of federal court judges will provide their perspectives on</td>
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<td>pressing and important e-discovery issues facing litigators and courts,</td>
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<td>including: balancing management of discovery without micromanaging it</td>
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<td>(<em>In re Broiler Chicken</em>); effective use of FRE 502(d); improving</td>
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<td>assertions and challenges to privilege; moving beyond boilerplate</td>
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<td>objections and improving quality of requests; and assessing</td>
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<td>proportionality’s impact on discovery and what facts parties need to</td>
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<td>present to demonstrate the existence or lack of proportionality.</td>
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<tr>
<td>5:00 p.m.</td>
<td><strong>Closing Remarks</strong></td>
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<td><strong>Speaker:</strong> Lauren Schwartzreich</td>
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