



TECHSHOW2018

Playing In The Big Leagues: E-Discovery in Large, Complex Cases



Today's Starting Line-Up:

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*Welcome
to the
Big Leagues*

Team vs. Individual Sports

- Class Actions
 - Preservation challenges
 - Discovery prior to certification
 - To bifurcate or not?
Resolve ? early...
- Multi-district litigation



The Players: Managing and Fielding Your Team

- Plaintiffs' committees
- Joint defense agreements
- Central/common document depositories
 - ✓ Key documents
 - ✓ Correspondence
 - ✓ Evidence
- Shared resources and frequent coordination



The Process Playbook

- Preservation & collection
 - The use and importance of a computer forensic expert
 - Supervising outside vendor and collection plan protocol = defensibility
- Meeting (and conferring) on the mound
 - Prepare to prevent problems and disputes in conference
 - Avoid data gaps by identifying a comprehensive list (data, custodians, and dates)
- Phased, iterative discovery
- Playbook checklist
 - ✓ Federal Rules
 - ✓ Demands to be Resisted
 - ✓ Rule 34 & 26(f)



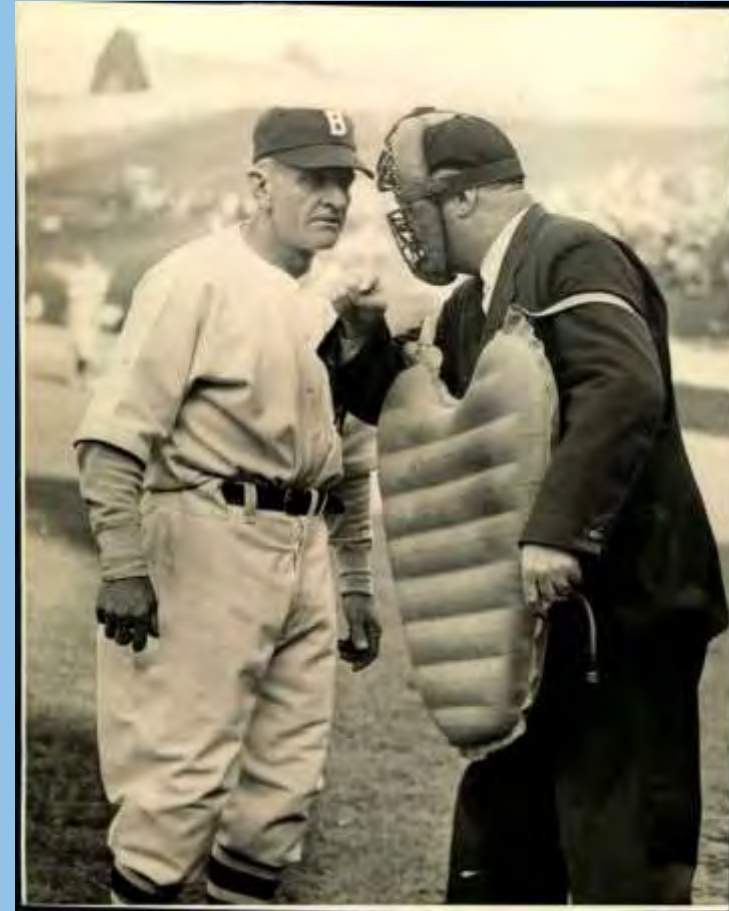
The Technical Edge: Good Gear Gets it Done

- Search and review of collected data
- Utilizing Technology Assisted Review (TAR)
- Utilizing contract lawyers
- Privilege review and logging
- Production of ESI
- Data security and privacy issues



Respect the Referees

- Be mindful about when and how to challenge
- Let's go to the Magistrate
- E-Neutrals and E-mediators for e-discovery disputes



Post-Game Analysis

- End goal=get what you need at the price you can/should pay!

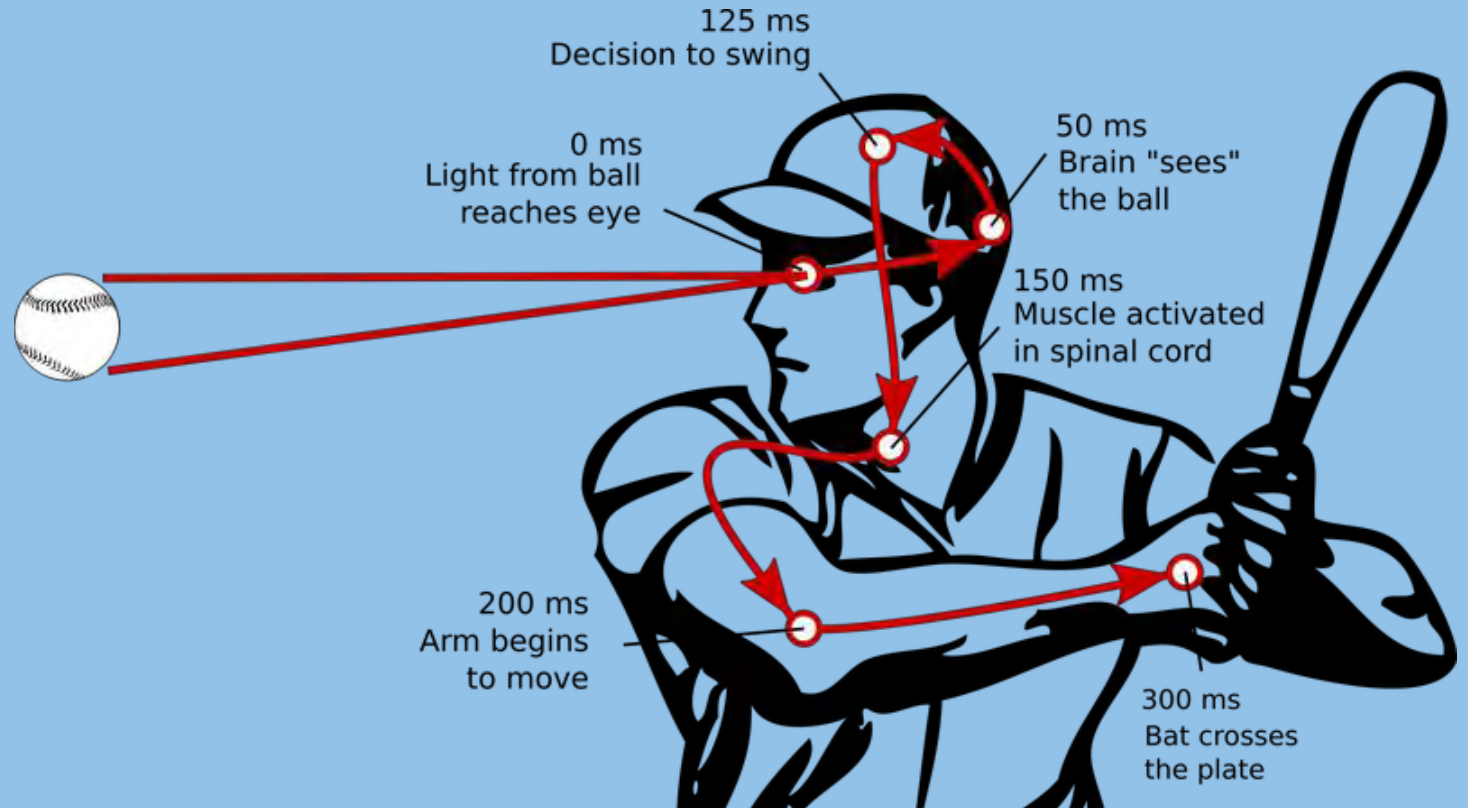


Questions?

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- YOU play the most important part in keeping TECHSHOW exciting. *Please complete the Speaker evaluation before you leave.*
- Reserve the dates!

TECHSHOW 2019: February 27 – March 2, 2019