

REGISTER TODAY

May 19–20, 2010

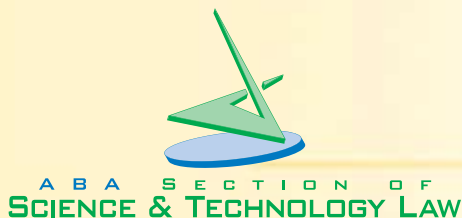
**ABA Section of Science & Technology Law
e-Discovery and Digital Evidence (EDDE) Committee**

**First Annual
Electronic Discovery
and
Digital Evidence
Practitioners'
Workshop**

Chicago-Kent College of Law
565 West Adams Street
Chicago, IL 60661-3652

[Click here](#) to view program information

Register Now



WELCOME

The ABA Section of Science & Technology Law is pleased to invite you to the ***First Annual Electronic Discovery and Digital Evidence Practitioners' Workshop*** in Chicago on May 19-20, 2010.

This practitioners' workshop will provide in-depth and hands-on education for in-house and retained counsel who are involved in (or who expect to become involved in) litigation involving electronic discovery and digital evidence. Executives and other litigation stakeholders from large and small public and private organizations will also gain invaluable insights on how best to prepare your technical staff and information systems to respond to requests for electronically stored information (ESI). Addressed to intermediate and advanced ESI litigation practitioners, the workshop will be taught by our faculty of leading judges, ESI litigation practitioners, forensics experts, and technology thought-leaders, all of whom have significant experience in managing all aspects of ESI litigation. This workshop is unique in that its scope is much broader and deeper than traditional eDiscovery courses that address only basic ESI concepts.

The curriculum consists of case studies, a mock trial, keynote sessions and panel discussions with luminaries in the field, and small workshops for practitioners, technologists and forensics experts. We expect the entire program will be both illuminating and entertaining. Topics will range from the Seventh Circuit's Electronic Discovery Pilot Program, and ESI search trends and developments, to emerging digital evidence issues. The sessions will address the key rules from the Federal Rules of Civil Procedure that impact eDiscovery. There will also be plenty of time for networking at the receptions at the end of each day.

This is a one-of-a-kind program you will not want to miss.

Register today to attend the ***First Annual Electronic Discovery and Digital Evidence Practitioners' Workshop***.

With best regards,

Co-Chairs of the ABA SciTech e-Discovery and Digital Evidence Committee

George L. Paul
Lewis and Roca LLP
Phoenix, AZ

Steven W. Tepler
Edelson McGuire, LLC
Chicago, IL

Lucy L. Thomson
CSC
Alexandria, VA

Vice-Chair
Eric Hibbard
Hitachi Data Systems
San Jose, CA

SCHEDULE OF EVENTS

WEDNESDAY MAY 19, 2010

8:00 – 8:30 a.m.

Registration and Pre-Conference Breakfast—Networking with Colleagues

8:30 – 8:35 a.m.

Welcome by the ABA Section of Science & Technology Law

Stephen S. Wu

Chair-Elect
Cooke Kobrick & Wu, LLP
Los Altos, CA

Lucy L. Thomson

Secretary
CSC
Alexandria, VA

8:35 – 10:05 a.m.

Morning Module One: Forensics Deep Dive—Sylint Group, Inc.

Case studies and interactive discussion involving computer forensic extractions, and examination and search from within the context of electronic discovery. Topics covered include preservation, spoliation, concealment, search, deduplication, encryption, pattern analysis and the myths of “industry standards” and “industry standard rates.”

Panelists:

John Jorgensen

Sylint Group, Inc.
Sarasota, FL

Serge Jorgensen

Sylint Group, Inc.
Sarasota, FL

Steven S. Wu

Cooke Kobrick & Wu, LLP
Los Altos, CA

Lawrence Wolfenden

Federal Bureau of Investigation
Washington, DC

10:05 – 10:15 a.m.

Break

10:15 – 11:45 a.m.

Morning Module Two: Proven Strategies to Increase Value and Contain Costs Beginning Early in the Litigation Lifecycle—Autonomy, Inc.

Recent case law and federal rules that highlight best practices to improve compliance and reduce risk and cost in eDiscovery.

In today's economic climate, legal departments and law firms urgently seek new approaches to address eDiscovery risks, meet client needs and contain costs. However, many hesitate to adopt new methods and technology, such as conceptual analysis and cloud computing, concerned that they can't

- “achieve reasonable ROI”,
- “be accepted in court” or
- “be implemented fast enough—we need results now.”

This workshop will assist inside and outside counsel to think strategically and in an integrated way about their litigation profile and discovery process, start to finish. Participants will explore how to optimize the discovery process based on their organization's litigation profile. Drawing from the expertise of industry thought leaders, workshop attendees will learn how recent case law and federal rules apply to proportionality, reasonableness and defensibility. They will map a high level, 360° view of their end-to-end process, identify gaps and begin to chart a path forward. The discussion will include new methods, best practices and technologies like Meaning Based Computing that firms and companies utilize to reduce risk and contain costs in eDiscovery.

Panelist:

Deborah Baron

Autonomy, Inc.
San Francisco, CA

SCHEDULE OF EVENTS

11:45 a.m. – 12:15 p.m.

Working Lunch

12:20 – 12:55 p.m.

Introductions and Conference Keynote

Co-Chairs of the SciTech e-Discovery and Digital Evidence (EDDE) Committee

George L. Paul
Lewis and Roca LLP
Phoenix, AZ

Steven W. Tepler
Edelson McGuire, LLC
Chicago, IL

Lucy L. Thomson
CSC
Alexandria, VA

Vice-Chair
Eric Hibbard
Hitachi Data Systems
San Jose, CA

Keynote Speaker:

Hon. Nan R. Nolan
United States Magistrate Judge
Northern District of Illinois
Chicago, IL

A discussion of the Seventh Circuit's E-Discovery Pilot Program Phase I, its application to matters within the Northern District of Illinois, and emerging case trends. Recent developments in e-Discovery and Digital Evidence; Challenging Issues from Recent Cases.

1:00 – 2:10 p.m.

Track I

Module 1: Practitioners Update: Practicing ESI by the Numbers

This session will include preservation letters, counsel meet and confer, discovery stipulations, initial disclosures, preservation obligations, discovery abuse sanctions, electronically stored information format designation, non-party discovery, and ESI clawback practice under new FRE 502 in state and federal proceedings.

Co-Moderators:

Steven W. Tepler
Edelson McGuire, LLC
Chicago, IL

Lucy L. Thomson
CSC
Alexandria, VA

Panelists:

Alexandra G. Buck
Abbott Laboratories
Chicago, IL

Bennett B. Borden
Gibson Dunn
Washington, DC

William Butterfield
Hausfeld, LLP
Washington, DC

Justin Murphy
Crowell & Mooring, LLP
Washington, DC

Module 2: ESI Forensics Workshop

This session will provide a hands-on discussion of current and emerging computer forensics tools, how and when these tools are used in the electronic discovery process through trial, the emergence of antiforensic tools, and the participation of forensics specialists in early ESI Fed.R.Civ.P. Rule 26(f) meet and confer sessions.

Moderator:

John E. Jorgensen
Sylint Group, Inc.
Sarasota, FL

SCHEDULE OF EVENTS

Panelists:

Joseph M. Burton
Duane Morris, LLP
San Francisco, CA

Matt Sorensen
Sylint Group, Inc.
Sarasota, FL

Liam Ferguson
Mesirov Financial Consulting
Los Angeles, CA

Lawrence Wolfenden
Federal Bureau of Investigation
Washington, DC

Module 3: Emerging Technologies—Real Technology Addressing Real Problems

ESI Discovery technologies are rapidly emerging and the sector is commoditizing, resulting in substantial cost reductions and smaller resourcing overhead. This panel will discuss usage models for ESI technologies now available, in development undergoing refinement.

Co-Moderators:

Eric Hibbard
Hitachi Data Systems
San Jose, CA

Hoyt L. Kesterson II
Terra Verde Systems
Glendale, AZ

Panelists:

Deborah Baron
Autonomy, Inc.
San Francisco, CA

Lisa Habbeshaw
FTI Technology
San Francisco, CA

Jon Stanley
Law Office of Jon Stanley
Cape Elizabeth, ME

Robert Thibadeau
Wave Systems
Pittsburgh, PA

K. Krasnow Waterman
LawTech Intersec
New York, NY

2:10 – 2:20 p.m.

Break

2:20-3:30 p.m.

Track II

Module 1: Practitioners Update: Practicing ESI by the Numbers

Module 2: ESI Forensics Workshop

Module 3: Emerging Technologies – Real Technology Addressing Real Problems

3:30 – 3:40 p.m.

Break

3:40 – 4:50 p.m.

Track III

Module 1: Practitioners Update: Practicing ESI by the Numbers

Module 2: ESI Forensics Workshop

Module 3: Emerging Technologies – Real Technology Addressing Real Problems

SCHEDULE OF EVENTS

5:00 – 6:10 p.m.

Hot Topics in ESI Search and Retrieval

- Mock strategy session on negotiating search protocols with opposing counsel
- Latest search tools and technologies for undertaking efficient review
- Ethical issues raised by search strategies

Moderator:

Jason R. Baron
National Archives
Washington, DC

Panelists:

Bennett B. Borden
Gibson Dunn
Washington, DC

Maura R. Grossman
Wachtell, Lipton, Rosen & Katz
New York, NY

6:10 – 7:00 p.m.

Cocktail Reception—Networking with Colleagues

7:00 p.m.

Dinner on Your Own

THURSDAY MAY 20, 2010

8:00 – 8:30 a.m.

Registration, Continental Breakfast and Networking; Welcome and Recap

8:30 - 9:00 a.m.

Digital Evidence—Now that you have ESI—What to do with it?

The next frontier in litigation involving electronically stored information is ESI authentication and admissibility. This panel of nationally recognized experts will discuss admissibility and authentication issues and challenges uniquely inherent to computer-generated information and data, including hearsay, metadata, and encryption.

George L. Paul
Lewis and Roca LLP
Phoenix, AZ

Steven W. Tepler
Edelson McGuire, LLC
Chicago, IL

9:00 – 10:30 a.m.

Plenary One

In this first set of mock proceedings, attorneys and their technology experts will conduct an ESI-focused Fed.R.Civ.P. Rule 26(f) counsel-meet-and-confer session. This session will underscore the role of cooperation between the parties, and illustrate how disputes over electronic discovery (i.e., native format, search terms, network mapping, privilege, and preservation) may properly be formulated for presentation to a court for adjudication.

In this next mock proceeding, a Fed.R.Civ.P. Rule 16(b) hearing will be held before U.S. Magistrate Judges Karla Spaulding and Frank Maas, who will take up these disputed issues. In this hearing, counsel and their technology experts will raise the disagreements and issues not resolved in the Rule 26(f) meet and confer, and provide unique insight into how best to prepare for and participate in these hearings.

John Jorgensen
Sylint Group, Inc.
Sarasota, FL

Hoyt L. Kesterson II
Terra Verde Systems
Glendale, AZ

Larry Kunin
Morris Manning
Atlanta, GA

Farrah Pepper
Gibson Dunn
New York, NY

Judges:

Hon. Frank Maas
United States Magistrate Judge
Southern District of New York
New York, NY

Hon. Karla R. Spaulding
United States Magistrate Judge
Middle District of Florida
Orlando, FL

SCHEDULE OF EVENTS

10:30 – 10:40 a.m.

Break

10:40 – 12:10 a.m.

Plenary Two

In this session, an ESI spoliation/discovery abuse hearing will be conducted before U.S. Magistrate Judges Karla Spaulding and Frank Maas. Counsel will argue their positions, supported by their respective technology experts, who will provide testimony in connection with assertions or defenses. The decisions rendered by the judges will reflect their respective circuit's decisional authority, and the session will conclude with an in depth question and answer session with attendees.

Joseph Burton

Duane Morris, LLP
San Francisco, CA

John Jorgensen

Sylint Group, Inc.
Sarasota, FL

Hoyt L. Kesterson II

Terra Verde Systems
Glendale, AZ

George L. Paul

Lewis and Roca, LLP
Phoenix, AZ

Judges:

Hon. Frank Maas

United States Magistrate Judge
Southern District of New York
New York, NY

Hon. Karla R. Spaulding

United States Magistrate Judge
Middle District of Florida
Orlando, FL

12:15 – 12:50 p.m.

Working Lunch

ESI-Centric Discovery Request and Deposition—Some Lunchtime Thoughts

1:00 – 2:30 p.m.

Plenary Three

In this concluding plenary session, Magistrate Judges Spaulding, Maas, and Chief Magistrate Judge Sidney Schenkier will discuss emerging trends, issues, challenges and approaches to the practice of electronic discovery and digital evidence management in their respective courts. The session will include an interactive question and answer session with attendees.

Joseph M. Burton

Duane Morris, LLP
San Francisco, CA

Hon. Karla R. Spaulding

United States Magistrate Judge
Middle District of Florida
Orlando, FL

Judges:

Hon. Frank Maas

United States Magistrate Judge
Southern District of New York
New York, NY

Hon. Sidney I. Schenkier

United States Magistrate Judge
Northern District of Illinois
Chicago, IL

2:30 – 3:00 p.m.

Closing Keynote: Where We Go From Here?

Hon. Frank Maas

United States Magistrate Judge
Southern District of New York
New York, NY

3:15 – 4:15 p.m.

Wine and Cheese Reception

REGISTRATION AND PROGRAM INFORMATION

TO REGISTER [click here](#)

REGISTRATION FEES

Register before April 26th to receive the special early registration rate.

	Before 4/26	After 4/26
ABA Section of Science & Technology Law Member	\$500	\$600
Asian American Bar Association Member	\$500	\$600
The Chicago Bar Association Member	\$500	\$600
Cook County Bar Association Member	\$500	\$600
Government Employee	\$500	\$600
Illinois State Bar Association Member	\$500	\$600
Lesbian and Gay Bar Association of Chicago Member	\$500	\$600
ABA Member	\$650	\$750
General Attendees (not ABA member)	\$750	\$850

The registration fee includes admission to the workshop, course materials, breakfast, lunch, and receptions.

CANCELATION POLICY

Request for a registration fee refund (less a \$100 administrative fee), must be received by the ABA by April 26, 2010. No requests received after that date will be granted. A cancellation request should be e-mailed to gamboam@staff.abanet.org. Registrants who are unable to attend may send a substitute or will receive course materials in lieu of a refund. The ABA reserves the right to cancel the program and assumes no responsibility for personal expenses.

PROGRAM LOCATION AND HOTEL INFORMATION

The First Annual Electronic Discovery and Digital Evidence Practitioners' Workshop will be held at **Chicago-Kent College of Law**, 565 West Adams Street, Chicago, Illinois.

All participants must make their own lodging arrangements. Suggested hotels nearby are the **Holiday Inn Hotel & Suites Chicago**, **W Hotel Chicago**, **Hotel Monaco Chicago** and **Club Quarters Chicago**. ABA members may refer to the **ABA Preferred Rate Hotel Program** for discounts.

TRANSPORTATION

Participants are encouraged to make airline reservations on the ABA Online Travel site where they automatically receive ABA airfare discounts from a variety of carriers. Access the ABA provider **Orbitz for Business** or the Orbitz toll free number (877) 222-4185.

CLE CREDIT INFORMATION

Accreditation will be requested for this program from every state with mandatory continuing legal education (MCLE) requirements for their lawyers. Please be aware that each state has its own CLE rules and regulations, including the definition of "CLE." Check with your state agency for confirmation of approval for this program. Attorneys seeking to obtain MCLE credit in Pennsylvania are required to pay state accreditation fees directly to that state. Certificates of attendance will be available at the conclusion of the program. In order to receive CLE credit, attorneys will be required to sign attendance sheets and obtain a Uniform Certificate of Attendance. Participants may contact Maria Gamboa at (312) 988-5599 two weeks prior to the conference for confirmation of the number of CLE credit hours requested by the ABA or approved by any particular state.

REGISTRATION AND PROGRAM INFORMATION

MEMBERSHIP INFORMATION

For only \$50, ABA members may join the Section of Science & Technology Law. To join the Section, please [click here](#). To become a member the American Bar Association and to obtain information about the ABA [click here](#) or join by phone (800) 285-2221.

PERSONS WITH DISABILITIES

Service for persons with disabilities are available. If special arrangements are required for an individual to attend this program, please notify the ABA at (312) 988-5599. Reasonable advance notice is requested.

ABOUT THE ABA SECTION OF SCIENCE & TECHNOLOGY LAW

The ABA Section of Science & Technology Law is widely recognized and sought after as the premier global authority on science and technology law. The ABA, external organizations, and individuals routinely consult with the Section's leaders for their expertise and insights. The Section is viewed by the ABA, the media, policymakers, judges, scientists, and technologists as the authoritative voice on science and technology law. For more information about the Section please refer to the [homepage](#).

ABOUT THE E-DISCOVERY AND DIGITAL EVIDENCE COMMITTEE

The EDDE Committee brings together leading thinkers and practitioners in the area of e-discovery: jurists, litigators, policy-makers, technology experts, and business leaders, to work collaboratively with participants from related disciplines on projects designed to bridge the gap between technology and law in a way that will foster better client representation—both prior to as well as during litigation. For more information about the committee please refer to their [homepage](#).

PROGRAM COMMITTEE

George L. Paul
Lewis and Roca LLP
Phoenix, AZ

Eric Hibbard
Hitachi Data Systems
San Jose, CA

Steven W. Tepler
Edelson McGuire, LLC
Chicago, IL

Lucy L. Thomson
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Alexandria, VA

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