



# ACEDS 2012 Annual Conference and Exhibition

Monday-Wednesday, April 2-4, 2012  
The Westin Diplomat | Hollywood, Florida USA

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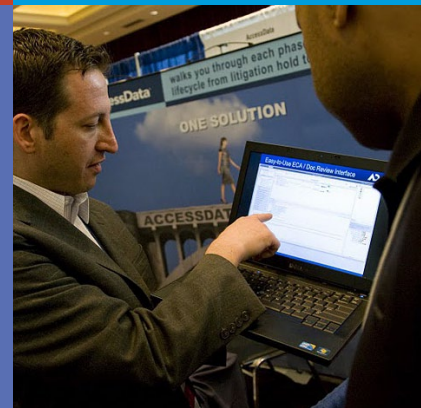
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# Practical, Dynamic, Rewarding, Lasting Enrichment Everywhere You Turn

## You Are the Star of Our Conference

We strive mightily to make it enriching and rewarding for you, always thinking of how we can increase your success in your job through practical, useful information in each panel. The many great testimonials we get from our attendees from all sectors – some of which you'll see here – make us confident that we succeed in meeting those goals year after year!

This is the conference everyone talks about. We bring top experts to share best practices and teach you how to deal effectively with major challenges in e-discovery – in the private and public sectors.

## You Ask Questions in Our Format

Our lively format where you ask questions is one reason our conferences are so popular. Expert moderators also question the panelists and make sure they give helpful guidance. Our attendees say they learn much more this way.

## What You Can Count On at the ACEDS Conference

- We do everything possible to foster your learning and enrichment
- We attract top expert speakers
- We present a program of timely panels that dissect crucial issues
- We provide you outstanding materials and a conference book with resources gathered by ACEDS.org editors
- We offer terrific networking, including unforgettable beachside events, so you can meet new contacts from many places
- We use a unique format that allows you, with the help of moderators, to question speakers
- We keep prices low – from the registration fee to the hotel room rate at this fabulous venue
- We bring top providers of e-discovery and related software, services and products so you can meet them and examine their offerings
- We worry about the details – large and small – to make this an unforgettable experience

The overwhelming endorsement and praise our attendees, sponsors and exhibitors give us is the best, and our proudest, evidence we succeed in meeting your needs.

## The Global Challenge of E-Discovery

Electronic discovery and the management of electronically stored information (ESI) is one of the great challenges in commerce and law today. The proper management of ESI is now an essential skill for persons in legal, commercial, governmental and institutional circles.

## Conflicts of laws and rules between states and countries

These challenges are not confined to the United States and countries with similar legal systems. All countries have mechanisms and courts to resolve disputes also dependent on ESI for resolution.

ACEDS exists to build a community and bridges around the globe to assist persons in learning and perfecting universal skills necessary to properly and accurately gather, store, manage and produce ESI in business and legal affairs. The proper management of ESI is a global concern

that can be attained with transnational best practices and technology.

However, challenges arise when the courts of one country, say the United States, require production of records located in a country whose privacy or “blocking” laws prohibit their disclosure.

E-discovery is a global challenge because of these conflicts of laws and rules. This conflict is also evident in the disparity of e-discovery rules in federal and state courts. The ACEDS conference seeks to help you do things right and resolve these dilemmas.



**“Focused, easy to follow presentations. ACEDS is a great leader.”**

*Raymond Massie, Esq.,  
Raymond Massie Law  
Office, Boca Raton*

**“Great conference!  
Great location!  
Great training for us  
who live north.”**

*Brenda Miller, Senior  
Paralegal, Transamerica  
Life Insurance Co.,  
Cedar Rapids*

**“Eye-opening  
perspectives on so  
many topics – from  
experts throughout  
the field.”**

*Clennie Davis, Supervisor,  
E-Discovery Team,  
Family Dollar Stores,  
Matthews, NC*



## Who Should Attend

- Arbitrators**
- Chief Counsel and staff in government agencies**
- Chief Information Officers**
- Chief Records Officers**
- Chief Technology Officers**
- Clerks of Court – Federal and state**
- Compliance officers**
- Computer forensics specialists**
- Consultants**
- Contract attorneys**
- Data protection professionals**
- Document review specialists**
- E-discovery:**
  - Attorneys
  - Directors
  - Specialists
  - Technologists
- Prosecutors – Federal and state**
- General Counsel and staff at:**
  - Companies and businesses
  - Educational institutions
  - Non-profit organizations
- Human resources managers**
- Imaging services specialists**
- Information services directors**
- Information technology managers**
- Inspectors General**
- Information technology professionals**

- Insurance underwriters**
- Judicial law clerks and assistants**
- Judges – Federal and state**
- Knowledge officers**
- Law firm administrators**
- Litigation practice support managers**
- Litigation project managers**
- Litigation support:**
  - Specialists
  - Analysts
  - Technologists
- Legal technology specialists**
- Litigators**
- Malpractice insurance risk administrators**
- Mediators**
- Paralegals**
- Practice support managers and staff**
- Privacy officers and professionals**
- Project managers**
- Records managers**
- Risk managers and officers**
- Software providers**
- Special Agents and investigators**
- Special Masters, Referees and Neutrals**
- Staff attorneys in:**
  - Law firms
  - Companies and other organizations
  - Government agencies
- Technologists**
- Technology project managers**
- Training managers**

**“Excellent, a MUST for attorneys in the digital era.”**

*Ivonne Rivera, Esq.,  
Rivera & Rivera,  
San Juan, Puerto Rico*

## Some Things You'll Learn

- How to prevent malpractice, cut insurance costs and save reputation
- How to meet the dilemma of securing data in countries that won't let the data out
- Best ways to harness social media, reap its rewards and rein in risks
- How to control costs when you lose and must pay an opponent's e-discovery bills
- What project management lessons you should follow for best results
- Questions to ask and answers to get when you buy products and services

**Five easy ways to register**

**Online**  
aceds.org/conference/registration

**E-mail**  
memberservices@aceds.org

**Mail**  
ACEDS  
Rivergate Plaza  
444 Brickell Ave.  
Suite 250  
Miami, FL 33131  
USA

**Telephone**  
786-517-2701

**Fax**  
786-316-0006

“Very well organized for networking. (Thanks for ordering the nice weather.)”

Bruce Malter, CEDS, Solutions Group Leader, Project Leadership, Chicago



“Excellent – very helpful to my practice.”

Nancy Block, Partner, Martin, Clearwater & Bell, New York

## Who We Are

The Association of Certified E-Discovery Specialists (ACEDS) is the member organization for private and public sector professionals who work in e-discovery and related fields in all countries. It offers them a community for the exchange of ideas, best practices and solutions to common challenges.

ACEDS also provides members essential tools for developing and maintaining competency in e-discovery. It offers its worldwide membership the highest quality certification, the Certified E-Discovery Specialist (CEDS) designation, as well as independent, timely news, abundant resources, insightful analysis, practical training and invaluable live and virtual networking. ACEDS and its professional staff are based in Miami. It is guided by a stellar, diverse Advisory Board.

ACEDS management has 23 years of experience in delivering objective, independent and straightforward editorial content, high quality training and education, world-acclaimed conferences and, since 2001, professional certification programs that set world standards and meet the highest levels of competency assessment, professionalism and integrity.

They developed the world-acclaimed Certified Anti-Money Laundering Specialist (CAMS) designation, which is held by thousands of corporate, government, legal, regulatory, law enforcement and consulting and technology professionals in 140 countries, primarily the United States.

ACEDS is building a community of specialists around the world who are distinguished by the Certified E-Discovery Specialist (CEDS) certification and a strong desire to learn best practices.

### ACEDS Believes Networking is Vital

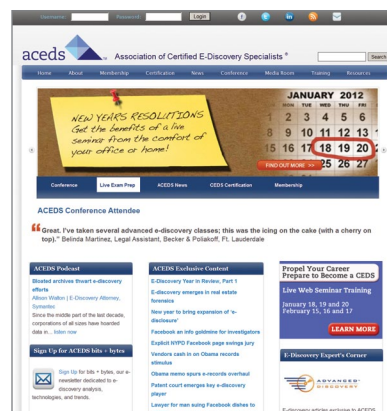
At ACEDS, we know expert knowledge and skill are not all you need to succeed. Networking and career connections are also vital. We give you opportunities to meet counterparts, experts and industry leaders at our conference, website and seminars. The conference speakers and your fellow attendees are anxious to share their experience and knowledge with you.

### ACEDS News, Analysis and Resources

**bits + bytes ezine** The lively, acclaimed ACEDS weekly e-newsletter gives you independent, no-holds barred news with expert analysis on important developments, trends, technologies and coming events.

**ACEDS.org** For e-discovery and related news, guidance, best practices and resources our Editors gather, make ACEDS.org a favorite. It gives you tips, tools and analysis and keen guidance from the experts we interview for ACEDS podcasts and Live Chats.

**ACEDS Resources** ACEDS editors post documents, pleadings, court rulings and other resources on a multitude of issues. These resources help members do their jobs better. They are alerted to coming issues, such as the new malpractice threat, the “cost taxing” US law, the



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trend toward special masters and auxiliaries, Congressional interest in e-discovery, the e-discovery issues in cases like the Penn State tragedy, the Toyota product liability case and others.

### Training

**Training Events** ACEDS offers a variety of virtual and live training events led by experts.

- Web seminars – We bring you monthly web seminars on hot topics and best practices, lessons from the frontlines and effective strategies and techniques.
- Live seminars – We bring live expert instruction on crucial subjects to major cities.
- Online, On-Demand Training – Coming in early 2012, we will offer downloadable curriculum training on crucial areas of e-discovery practice and policies.

### Learning With Networking and Community

**Podcasts** – ACEDS interviews experts and newsmakers on topics in e-discovery and related fields.

**Live Chats** – Members-only get free access to live chats in which experts share guidance, tips and answer questions on key issues and challenges in the field.

**Career Center** – ACEDS.org offers the worldwide e-discovery community a platform by which job ads and opportunities in the are posted.

**Task Forces** – ACEDS Task Forces let members shape training and website content, formulate activities in different locations, start chapters in certain cities, explore e-discovery needs in arbitration, the criminal law and other areas. Select a Task Force, get active and expand your horizons!

### CEDS Certification

ACEDS offers the Certified E-Discovery Specialist (CEDS) credential, which is now held by diverse professionals around the world.

Candidates for CEDS certification must meet eligibility requirements specified in the CEDS Candidate Handbook, which is downloadable free at [ACEDS.org/CEDS](http://ACEDS.org/CEDS), and pass a rigorous examination. The exam is offered at 600 authorized testing centers worldwide, including 320 in the US and 35 in Canada.

CEDS certification validates e-discovery skill and knowledge. It acknowledges that persons who are CEDS can navigate the e-discovery process effectively and meet uniform principles of competence. Developed according to rigorous psychometric standards, the CEDS certification sets standards of excellence in e-discovery.

Upon completing the certification application, candidates get the CEDS Exam Preparation Manual at no extra cost. The Manual covers the areas in the examination.

The certification fee, which includes the Manual and exam, is \$795 for ACEDS members, \$995 for non-members and \$595 for government employees. The ACEDS annual membership fee is \$195 and \$150 for government. To register for CEDS certification, contact [memberservices@aceds.org](mailto:memberservices@aceds.org), call 786-517-2721 or visit [aceds.org/CEDS](http://aceds.org/CEDS).

Members of ACEDS receive many exclusive benefits, including:

1. Original, incisive articles on crucial events, cases and the lessons they teach,
2. Resources – court documents, legislation and other vital items ACEDS editors gather,
3. Web seminars on crucial United States and worldwide hot button topics,
4. Live chats with experts where members ask questions and get answers on the spot.
5. Discounts on CEDS certification, the ACEDS conference, other ACEDS services and special global community-building opportunities.



“Very well done. I like the interactivity.”

Robert Lincoln, Attorney, Icard Merrill, Sarasota

“Excellent conference! Well worth the time and money. I’ll be back next year! Gorgeous location..”

Amy Koski, Litigation Support Manager, Foley & Mansfield, Minneapolis

## Member Benefits

# The Experts You Will Hear and Meet



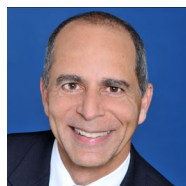
## John W. Bagby

Professor of Information Sciences and Technology and co-director of the Institute for Information Policy at Pennsylvania State University, he specializes in managing the risk of legal liability in information technology and related fields. His work in e-discovery spans

several years. A faculty senator, he has promoted the shared governance pressure for parallel investigations in the scandal surrounding football coach Jerry Sandusky. In his cyberforensic course, he initiated a team research assignment to enhance student engagement through mock e-discovery exercises. He was a pioneer in university cyberforensic courses in information technology and developed electronic litigation war rooms for the cases arising from the BP Deepwater Horizon disaster and for the post-Enron policy debate. His projects focus on document retention, access to confidential information, cyber-forensics law and electronic data discovery in investigations. A lawyer and prolific author, he also participates in teams researching tort and product liability and tort data management.

### “Professionalism all the way.”

*Jake Jordan, Senior E-Discovery Analyst,  
Family Dollar Stores, Matthews, NC*



## John M. Barkett

Past chair of the ABA's National Institute on E-Discovery and a leader in the e-discovery field, he is a partner of Shook, Hardy & Bacon LLP, in Miami. A specialist in litigation and commercial arbitration in several areas of law, particularly concerning the environment

and arbitration, he is an adjunct professor on e-discovery at the University of Miami School of Law and liaison to the Federal Civil Rules Advisory Committee of the ABA Section of Litigation. He authored the books, *E-Discovery: Twenty Questions and Answers* (2008) and *The Ethics of E-Discovery* (2009), by First Chair Press, Chicago, and several articles on e-discovery, including “Walking the Plank, Looking Over Your Shoulder, Fearing Sharks Are in the Water: E-Discovery in Federal Litigation?” (Duke University, May 2010). He is a member of the ACEDS Advisory Board.



## Robert Barth, Jr.

Clerk of Court of the US District Court for the Western District of Pennsylvania, in Pittsburgh, since February 2002, he is among the most active federal court clerks in the United States in utilizing the statutory power that Congress gave court clerks concerning

the “taxation of costs” against losing parties under Title 28 USC Section 1920. He wrote the opinion that taxed e-discovery costs against the losing plaintiff in the *Race Tires America* case, the first of its kind in his district which has received national attention. He was the first clerk to assess e-discovery costs in the US Third Judicial Circuit, which includes Pennsylvania and was instrumental in

developing the district's e-discovery special master pilot program. He has been involved in taxation of costs issues since 1995 when he was chief deputy clerk. He serves as the district court's liaison to several specialized bar associations in the district.



## Dale Beauchamp

Chief, Technical Services Branch, Office of Information Assurance and Cyber Security Division, Transportation Security Administration (TSA), in Washington, DC, he manages groups that work in focused operations, computer network defense and secure

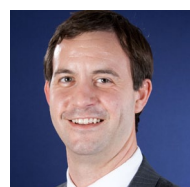
infrastructure and testing supporting TSA in e-discovery, digital forensics, intrusion analysis and data recovery. His teams oversee digital evidence collection and analysis in hundreds of single-user and enterprise-wide collections. He also manages the computer network defense team, which monitors TSA networks for cyber threats, and a group that tests new technologies for compliance and vulnerabilities. Previously, he was a forensics and intrusions instructor at the Defense Cyber Investigations Training Academy, where he developed courses on live network investigations and deployable forensics for law enforcement agencies that investigate high tech crimes and gather intelligence. Early in his career, he was a computer forensic investigator at the Maryland State Police, where he provided digital forensics analysis support in criminal and administrative cases. He is a member of the ACEDS Advisory Board.



## Rafael Bernardino

A partner and trial lawyer at Hobson, Bernardino & Davis, in Los Angeles, he is the lead plaintiff's lawyer in the e-discovery malpractice case against McDermott Will & Emery on behalf of J-M Manufacturing Co., in Los Angeles, a case that has captivated the global

e-discovery community. As a litigator in complex civil and criminal litigation he also specializes in environmental and intellectual property cases. His clients have included Air France, Alcoa, Mercedes Benz of North America and Walt Disney Co. He previously served as an attorney-advisor on intelligence policy at the US Department of Justice and as law clerk to US District Judge Manuel L. Real in Los Angeles. As an adjunct professor at Westwood College, he teaches criminal justice and paralegal studies. An active member of the Los Angeles community, he served on a Citizens Oversight Committee to ensure voter-approved funds to upgrade classrooms. He is a member of the Hispanic National Bar Association.



## James Bickley, CEDS

Managing Partner of Electronic Discovery Consulting at Counselor Resource Group, in Washington, DC, he also leads the firm's business development efforts, including creation of new market partnerships. His expertise lies in ESI lifecycle management, which refers to

processes involved in e-discovery tasks, and in creating collection strategies and filtering techniques that limit the scope and volume of data. He has consulted numerous corporate and law firm

clients in IP, antitrust, securities and professional liability cases and regulatory matters. His antitrust work often involves price fixing matters before the Department of Justice; in securities work his services focus on improper financial information reporting that resulted in stockholder suits; in regulatory matters, his work involves lawsuit stemming from improper accounting techniques that influenced stock prices for public companies. Previously, he worked with an electronic discovery technology firm advising clients on ESI matters, such as advanced concept search technology and document review applications.



## Julie Brown

Litigation Technology Executive Manager at Vorys, in Columbus, Ohio, she has worked in legal technology for more than 20 years at law firms and corporate in-house legal departments. She has managed large-scale e-

discovery and document productions in major cases, and excels at records management, litigation technology training and development of litigation technology databases for use in legal disputes and litigation. She oversees the litigation technology department at Vorys, which provides a full range of e-discovery services to its hundreds of lawyers. She serves on various e-discovery bodies and advisory committee. She is active in coordinating education opportunities for the International Legal Technology Association, including its conferences and other training events. In 2011, she received ILTA's Distinguished Peer Award for Litigation and Practice Support, and also serves on ILTA's Litigation Support Steering Committee.



## Stephen M. Fernelius

A trial lawyer at Fernelius Alvarez, in Houston, he is a recognized specialist in defending mass torts and catastrophic cases, corporate crisis management and environmental litigation. He has handled many high profile catastrophic industrial cases, such as plant

explosions and environmental disasters. In these cases, he manages large teams of legal professionals in case evaluation, evidence gathering and preservation, corporate internal investigations, e-discovery, diverse pretrial issues, settlement strategies and trial theme development. As discovery counsel for a large U.S. tire manufacturer, he developed national processes to coordinate discovery and manage large-scale document reviews, production and repositories. He also specializes in preparing senior corporate officers to testify. A member of the American Board of Trial Advocates, he co-authored “A Practical Guide for Conducting Extra-Territorial Discovery for Use In U.S. Litigation” and “Effective Representation in Difficult Times: Assisting Your Client in Times of Crisis” (ABA Mass Tort Journal, Spring 2009).



## Stephanie L. Giammarco, CEDS

A partner at BDO Consulting, in New York, she leads the Computer Forensics and E-Discovery practice. For 16 years, she has provided litigation and investigative services to a wide range of Fortune 500 clients and law firms in matters that take her worldwide.

Her consulting and advisory services have been provided in a wide array of domestic and international matters ranging from class actions, internal investigations, and securities and financial

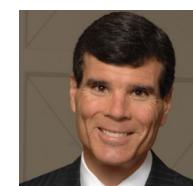
statement fraud. Using tools of computer forensics, e-discovery, data mining and electronic extraction, she has led teams handling complex financial fraud cases and the attendant e-discovery challenges they bring. She testifies on behalf of businesses concerning e-discovery practices and often speaks and presents papers on e-discovery and computer forensics topics. She is a member of the ACEDS Advisory Board.



## Andrea S. Gibson

Senior Discovery Services Consultant at Kroll Ontrack, in Dallas, she advises corporations on the intricacies of electronically stored information (ESI) in corporate audits, internal investigations and litigation discovery. A

seasoned expert in discovery law, methodologies and technology, she advises clients on the creation and implementation of defensible strategies to maximize data efficacy and minimize time and cost. A frequent lecturer at legal technology forums on utilizing ESI, ethics in e-discovery, early data assessment and technology law, she is on the conference faculty of the International Legal Technology Association and Association of Corporate Counsel. An experienced litigator, she practiced law at Eccleston & Wolf, in Baltimore, in the defense of professional liability cases for lawyers and financial professionals. Prior to Kroll Ontrack, she served on e-discovery teams in toxic tort, antitrust and products liability cases.



## Ervin A. Gonzalez

Partner at Colson Hicks Eidson, in Miami, he is one of the nation's premier plaintiff trial lawyers. He has held leadership roles for the plaintiffs in major landmark cases like the BP oil spill, Chinese drywall and others, usually involving significant cross-border issues.

He specializes in product liability cases, class actions, business litigation, medical malpractice and personal injury matters. Board certified as a civil trial and business litigation law specialist, he has won many multimillion-dollar jury verdicts and settlements. A past president of the Dade County Bar Association and the Dade County Trial Lawyers Association, and past member of the Board of Governors of the Florida Bar, he has written many published articles on various aspects of litigation, including e-discovery. He teaches litigation and trial skills as an adjunct professor at the University of Miami School of Law and speaks often on various aspects of trials and litigation skills. He is a member of the ACEDS Advisory Board.

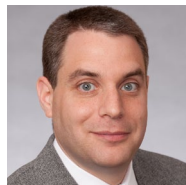


## Jett Hanna

Senior Vice President at Texas Lawyers' Insurance Exchange, in Austin, he supervises the professional liability claims of lawyers and judges throughout the state of Texas, underwrites malpractice insurance policies, and advises clients and insureds of

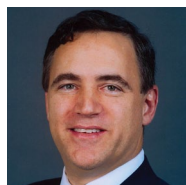
his company on how to prevent losses arising from professional malpractice and manage risks that arise in the law practice. A specialist in computer operations, he is a member of the State Bar of Texas and has earned his Registered Professional Liability Underwriter credential. He lectures and writes on legal malpractice and insurance topics, including the emerging field of e-discovery malpractice. He serves as an adjunct professor at the

University of Texas School of Law. In 2009, he was recognized as a top writing contributor to the Charter for Compassion, a global collaboration.



### Jeffrey S. Jacobson

Litigation partner at Debevoise & Plimpton LLP, in New York, he focuses on the defense of consumer and securities class actions and the electronic discovery challenges presented by complex litigation and investigative matters in these and other types of legal matters. Recommended by The Legal 500 US (2011) for Securities Litigation and Data Protection and Privacy and recognized as a Securities Litigation "Star" in the IFLR Benchmark Litigation Guide (2010), he is a frequent author on class action defense and e-discovery strategies for various legal publications, including Bloomberg Class Action Litigation Reporter. Among his recent litigation projects, he designed and implemented electronic discovery strategies for complex U.S.-based and international investigations, including the global internal investigation of Siemens AG, and conducted internal investigations for companies following the threat or imposition of e-discovery and other sanctions. He is a member of the ACEDS Advisory Board.



### Adam B. Landa

A patent attorney and litigator at Greenberg Traurig in Orlando, he is the co-chair of the worldwide firm's national e-Retention and Litigation Preparedness practice group. He is experienced in a wide-range of large commercial litigation, principally in high-stakes intellectual property matters touching on a wide variety of materials and concepts. He also provides consulting services throughout the United States on electronic document retention, e-discovery and security policies and procedures. He prosecutes patents and trademark matters in the US Patent and Trademark Office and coordinates international intellectual property portfolios. Providing counsel in all aspects of commercial and technology transactions and protection and exploitation of intellectual property, he represents clients in federal and state courts around the US, as well as before the International Trade Commission, and US Patent and Trademark Office.



### Noah Lang

Director and co-founder of Reputation.com, he is an advocate for consumer online privacy and an expert in online behavioral tracking and online publication of private personal data. In recent years, he built the world's only

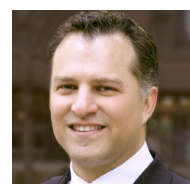
personal data privacy coalition that allows consumers to quickly and automatically control their personal data in many online and offline people-databases, a service that the MyPrivacy product of Reputation.com delivers. An expert in using Online Reputation Management ("ORM") as an imperative marketing tactic and powerful risk-mitigation tool for attorneys, he also manages strategic partnerships and channel distribution relationships. Previously, he worked at Navigant Consulting's Intellectual Property Litigation practice in Palo Alto, where he applied e-discovery in investigations at Fortune 100 companies, intellectual property infringement suits and Sarbanes-Oxley investigations. He is responsible for licensing, acquiring and developing much of the technology that drives Reputation.com products. He is also Executive Director of the Online Reputation Management Association.



### Michele C.S. Lange

Director of the discovery product line for Kroll Ontrack, in Minneapolis, she oversees the evolution of legal technology products and services, conducts legal and market research and analysis, and interfaces with industry elements. She helps clients integrate

e-discovery into their case strategies from e-document preservation to litigation tactics. A recognized expert in e-discovery, computer forensics and the role of technology in law, she is often quoted in major publications on hot button law and technology topics and speaks at events of legal associations, CLE programs and law schools. She co-authored with colleague Kristin Nimsgger the ABA book "Electronic Evidence and Discovery: What Every Lawyer Should Know," and has written articles for the National Law Journal, New York Law Journal, Law.com, Digital Discovery & Evidence, and other publications.



### Jay Leib

Chief Strategy Officer at kCura and head of the advice@kCura team, he has more than a decade of experience in litigation support technology and technological innovation. On behalf of diverse clients, he has worked in several roles on many large e-discovery

projects worldwide. He provides insight and guidance on the customization of e-discovery workflows to meet the individual needs of multidisciplinary case teams. Previously, he was a Senior Manager at Ernst & Young's Fraud Investigative and Dispute Services practice. He founded Advocate Solutions, Inc., where he was architect of Discovery Cracker, the world's first shrink-wrapped e-discovery application. His software applications have been recognized by numerous surveys and have received awards in the litigation support and e-discovery fields.

A frequent speaker in live and Internet events on text analytics, predictive coding, and Relativity's Application Ecosystem, he also specializes in legal holds, processing, document management and emerging technologies.



### Alvin Lindsay, CEDS

Partner at Hogan Lovells, in Miami, and Chairman of the ACEDS Advisory Board, for two decades he has litigated on behalf of international corporate and business clients complex cases in federal and state courts and international tribunals of arbitration. A

leader in the field of e-discovery, he has been at the forefront of some of the most significant product liability cases in recent times, including those involving commercial airline disasters, drywall from China, pharmaceutical products, vaccines, tobacco, medical devices, cosmetics, yachts, automobiles, and consumer goods. He is co-chair of the worldwide firm's Electronic Information Group and is often quoted in the major media on matters dealing with technology and litigation and the Federal Rules of Civil Procedure as they bear on electronic evidence and cross-border issues.



### Helen Bergman Moure, CEDS

Principal of Lex Aperta, in Seattle, which specializes in e-discovery legal advice and consulting, she is a commercial litigator in all courts and a consultant on e-discovery to law firms, companies and government agencies. Since 1999, she has devoted

her practice to efficient, cost-effective e-discovery and document review services to clients ranging from entrepreneurs to Fortune 100 corporations. Previously a partner at K&L Gates, she helped found the firm's e-Discovery Analysis and Technology (e-DAT) Group and develop "Patterns" document review software by Attenex. She is experienced in structuring projects involving all aspects of discovery, from custodian identification and retention to collection, processing, review, and post-production litigation support. She advises public and private organizations on litigation readiness and designing and implementing document retention systems. A frequent speaker on e-discovery, she is a member of the Florida and Washington Bars. She is a member of the ACEDS Advisory Board.



### Arnaldo Perez

General Counsel and Senior Vice President at Carnival Corporation, in Miami, he oversees the complex, varied and worldwide, complex legal affairs of the corporation, which operates 11 cruise brands and employs tens of thousands of persons. Prior to Carnival, he

practiced law in Miami. Having earned a bachelor's degree in accounting from the University of Miami, he is a member of the Florida Institute of Certified Public Accountants. Carnival, with headquarters in Miami and London, is a global cruise company and one of the world's largest vacation enterprises with a fleet of 95 ships which annually carry 200,000 guests on cruises around the globe. The ships are served by 70,000 shipboard employees who work on vessels carrying the Carnival Cruise Lines, Holland America Line, Princess Cruises and Cunard brands. He is a member of the ACEDS Advisory Board.



### Emma Quinn, CEDS

E-Discovery Associate Director at worldwide financial institution Barclays, in London, she was the first person in the United Kingdom to earn the Certified E-Discovery Specialist (CEDS) certification. She consults with internal and external legal review teams

across all of Barclays worldwide about their e-discovery needs, implementation of procedures, and processing and production of records in cases with as much as 500 gigabytes of data in multiple jurisdictions. She trains Barclays personnel worldwide, manages client and project operations, and supervises the testing, maintenance and research of e-discovery software. Previously, she was an e-discovery specialist at KPMG, responsible for technical processing, client management and project management at each stage of the process. She holds a BS in Software Systems, an MS, with Honors, in Computer Security and Forensics. She is a CISSP (Certified Information System Security Professional) and a qualified Prince2 practitioner. She is a member of the ACEDS Advisory Board.



### Seth H. Row, CEDS

An attorney at Parson Farnell & Grein, in Portland, Oregon, he is an experienced commercial and business litigator and consultant to businesses on e-discovery and risk management. He has substantial experience in managing complex and cross-border

ESI-intensive matters. Previously, while an attorney at the large global firm, Holland & Knight, he was a founding member of the Electronic Data Discovery Specialty Team, providing training firmwide to lawyers and non-lawyers and consulting the firm's litigation teams across the United States. His experience in e-discovery matters began as a judicial law clerk. Subsequently, he has handled e-discovery disputes as insurance defense counsel, litigation counsel and mediator. He is co-editor of the leading ABA newsletter on pretrial practice, a regular presenter at CLE programs on electronic discovery and a frequent contributor of articles and analysis that appear on ACEDS.org. He is a member of the ACEDS Advisory Board.



### Kimarie R. Stratos

Senior Vice President and General Counsel, in Miami, of Memorial Healthcare System, the fifth largest public hospital system in the US, she oversees legal and risk issues at five hospitals, numerous primary care and outpatient centers and a nursing home.

Previously Senior Vice President and General Counsel at Miami Children's Hospital, she is an experienced litigator in state and federal court on behalf of corporate and individual clients in commercial, tort and employment discrimination cases. A member of the American Health Lawyers Association with 20 years experience in health law, she was inducted into the University of Florida Hall of Fame where she received her law degree. Also an expert in sports law, she was the first female attorney registered as a Major League Baseball agent, representing athletes and sports corporations in multi-million dollar deals. She is one of the authors of a leading sports law textbook, The Law of Professional and Amateur Sports. She is a member of the ACEDS Advisory Board.

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### Nancy Stuparich

Risk Manager at Florida Lawyers Mutual Insurance Company, in Orlando, she advises client-insureds on how to prevent losses and reduce risk arising from the practice of law, including litigation and other dispute resolution. Among her duties is the making

of malpractice insurance accessible and affordable to lawyers who routinely deal with electronically stored information in e-discovery. Previously, she practiced law in Florida, representing public and private sector organizations and individuals. She was the DeSoto County Attorney, Escambia County Assistant Attorney, and Assistant General Counsel of the Florida League of Cities as well as attorney for the Attorneys Title Insurance Fund and Lawyers Title Insurance Corporation. In addition to her law degree from the University of Florida, she has a master's degree in public administration and post-graduate degree in international taxation.

**"Depth of knowledge of panelists and interaction kept it exciting, educational."**

*Jeannine Bell, Director,  
Special Counsel, New York*



### Jon Talotta

Partner at Hogan Lovells, in Northern Virginia, he chairs the international firm's global Electronic Information Group. He represents a wide and diverse array of US and international companies and organizations in federal and state cases in trial and on appeal,

as well as in international arbitration. His work involves disputes surrounding contracts, insurance, intellectual property, trade secrets, technology, real estate, finance, securities and corporate governance. A member of various professional organizations and think tanks that focus on electronic discovery issues and best practices, including the Virginia Bar Association's Civil Litigation Council, he advises clients on e-discovery and records management procedures and policies. He is a frequent speaker and author on various issues relating to information risks, including e-discovery, cross-border transfers, litigation preparedness, privacy, data security, disaster recovery, social media, domain names and the Internet.



### John Upchurch

Founding partner of Upchurch Watson White & Max, in Daytona Beach and other Florida cities, he is a respected expert in alternative dispute resolution and a preeminent special master, arbitrator and neutral of long standing. A charter member of the Academy of

Court Appointed Masters, founder of the American College of Civil Trial Mediators and member of the Society of Professionals in Dispute Resolution, he is a diplomate of the Florida Association of Professional Mediators. A former Florida Circuit Court Judge, he was named "Most Outstanding Jurist" by the Florida Bar in 1981. He brings to his work as a neutral 20 years of experience as a trial and appellate lawyer specializing in complex commercial cases. He authored "Alternative Dispute Resolution"

(Florida Healthcare Professional's Medico-Legal Guide, DC Press 2003) and "Preparation for and Presentation during Alternative Dispute Resolution," The Litigator's Handbook (ABA Section of Litigation 2000).



### Ram Vasudevan

Founder and Chief Executive Officer at Quislex, in New York, a leading legal process outsourcing company, he has devoted many years to advising clients on corporate and mergers and acquisitions transactions, and financial services clients on a variety of legal

and regulatory matters. He is also President and co-founder of Quislex subsidiary, SQ Global Solutions, which outsources legal services to law firms and companies. Previously, for eight years as an attorney at Skadden Arps and Sidley Austin, in New York, he represented corporate M&A clients. He has advised publicly traded and privately held US and multinational corporations in these and other areas, and assisted executives and directors of major US and multinational corporations in a variety of legal matters. Before joining Sidley Austin, he was manager of projects at a large consulting company on behalf of large financial services clients.



### Charles A. Volkert, III

Executive Director of Robert Half Legal, in Miami, one of the largest providers of project and full-time legal professionals to law firms, corporations and government agencies, he has been instrumental in the expansion of the company since joining the

organization in 1999. Robert Half Legal has locations in major North American and international markets. A lawyer, he is an expert, author and speaker on employment trends, job search and career management and is co-managing director of Robert Half Legal eDiscovery Services which offers legal project management and e-discovery services, including litigation support, mergers and acquisitions matters and document review. He advises clients on the strategic use of project management and project attorney teams for e-discovery and document review, temporary legal support and full-time staff to manage business fluctuations and workload increases. He previously practiced law in Miami, focusing on complex litigation, insurance defense, medical malpractice and product liability. He is a member of the ACEDS Advisory Board.



### David Yerich, CEDS

As Director of E-Discovery at UnitedHealth Group, in Minnetonka, Minnesota, he oversees processes, protocols and tools that the company utilizes in its electronic discovery production in regulatory and legal matters.

One of the nation's leading experts in the discovery, he previously worked as the Electronic Discovery Consultant at Faegre & Benson, a large Minneapolis law firm, and for ten years at the Fortune 500 international company, Cargill, where his work focused on document and electronic records management, e-discovery strategies and document productions. He also played a key role in the implementation and roll-out of a worldwide document management tool at Cargill's legal department. He is a member of the ACEDS Advisory Board.



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# Conference at a Glance

## Sunday, April 1, 2012

9:30 AM - 4:30 PM	Registration
10:00 AM - 4:30 PM	Certified E-Discovery Specialist (CEDS) Examination Preparation Seminar

## Monday, April 2, 2012

7:30 AM - 6:30 PM	Registration
7:30 AM - 8:30 AM	E-Discovery Knowledge Breakfasts Courtesy of Kroll Ontrack and QuisLex
7:30 AM - 8:45 AM	Continental Breakfast - Exhibition Hall
8:45 AM - 9:00 AM	Opening Remarks
9:00 AM - 10:15 AM	General Session: Succeeding in catastrophic cases like BP Oil, Penn State and Siemens
10:15 AM - 10:45 AM	Networking Refreshment Break - Exhibition Hall
10:45 AM - 12:00 PM	General Session: Harnessing social media's power and potential harm
12:00 PM - 1:30 PM	Networking Luncheon
1:30 PM - 2:45 PM	Concurrent Sessions: Best practices in project management – It's all about the team, documents and process Special Masters, referees, liaisons and neutrals – The new e-discovery court fixtures and how to use them
2:45 PM - 3:15 PM	Network Refreshment Break - Exhibition Hall
3:15 PM - 4:45 PM	General Session: E-discovery knowledge nirvana – Top service providers' experts give you golden tips
5:15 PM - 6:45 PM	Beachside Networking Reception

## Tuesday, April 3, 2012

7:30 AM - 6:30 PM	Registration
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2:45 PM - 3:15 PM	Networking Refreshment Break - Exhibition Hall
3:15 PM - 4:30 PM	Concurrent Sessions: Managing contract lawyers and document reviews effectively to avoid client problems and angry superiors Asking the right questions, getting the right answers – A how-to guide on buying products and services
4:30 PM - 4:40 PM	Time to Move to General Session
4:40 PM - 5:50 PM	General Session: International e-discovery – Getting data in countries with tough data protection laws
6:15 PM - 7:45 PM	Beachfront Networking Reception - Exhibition Hall

## Wednesday, April 4, 2012

7:30 AM - 5:00 PM	Registration
7:30 AM - 9:00 AM	Continental Breakfast - Exhibition Hall
9:00 AM - 10:15 AM	General Session: Paying your opponent's e-discovery bills under the US 'Taxation of Costs' laws
10:15 AM - 10:45 AM	Networking Refreshment Break - Exhibition Hall
10:45 AM - 12:00 PM	General Session: How predictive coding and 'intelligent review' are altering the e-discovery landscape
12:00 PM - 12:10 PM	Closing Remarks
12:15 PM - 2:00 PM	Lunch on your own
12:30 PM - 4:30 PM	ACEDS 2nd Annual 'Legal Hold-in-One' Golf Tournament - Westin Diplomat Golf Course



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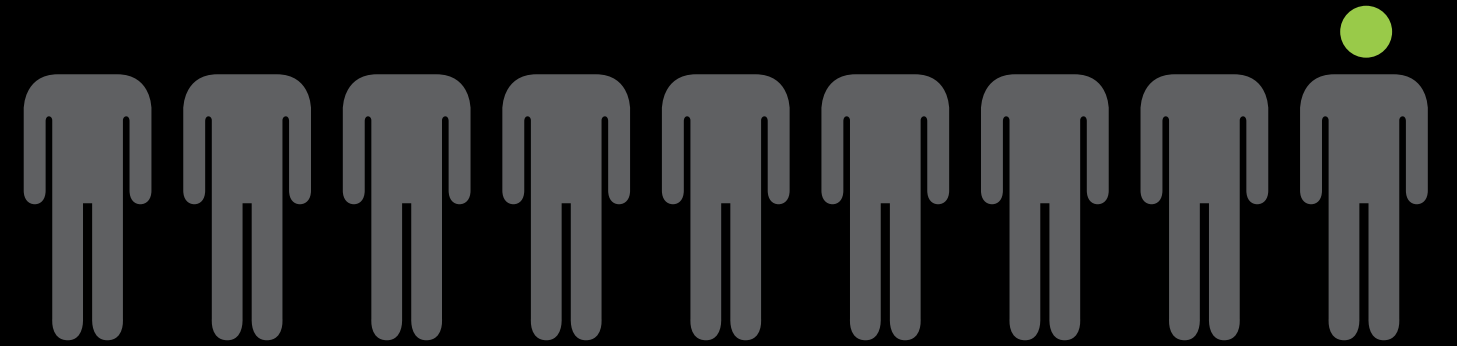
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# Conference Program

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9:30 AM - 4:30 PM Registration

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7:30 AM - 8:45 AM [Continental Breakfast - Exhibition Hall](#)

8:45 AM - 9:00 AM Opening Remarks

9:00 AM - 10:15 AM **General Session: Succeeding in catastrophic cases like BP Oil, Penn State and Siemens – Preserving evidence and executing winning strategies on offense and defense**

Catastrophes are inescapable and usually spawn legal actions that generate activity in investigation, information technology, computer forensics, litigation support, reputation management and other fields. Environmental debacles, child abuse outrages, airplane crashes and pandemic corporate corruption are man-made calamities, as the BP oil spill, the Penn State child abuse tragedy and the Siemens global corruption attest. They are characterized by mounds of electronically stored information (ESI) that is vital to offense and defense. What threat response plan should an organization have? What is a good data preservation strategy? When should a litigation hold notice be sent? How do you assure preservation of email, network file shares, personal computers and other devices? What about Cloud accounts, personal email, enterprise databases, share points and e-rooms? What do you do with departed employees and their data and devices? Here, four experts with a unique perspective share their invaluable knowledge. This panel is worth the price of admission.

**Speakers: John Bagby, Steve Fernelius, Ervin Gonzalez, Jeff Jacobson**

**Moderators: Charles Intriago and Helen Bergman Moure**

10:15 AM - 10:45 AM [Networking Refreshment Break - Exhibition Hall](#)

10:45 AM - 12:00 PM **General Session: Harnessing social media's power and potential harm – 'Friending' can be hazardous to your case (and career)**

Facebook, LinkedIn, Twitter, YouTube, IM, Google+ and others have changed the way we communicate with friends and the world. They have chipped away at our privacy. They have created indelible repositories of electronic information that say a lot about us, and which these companies control. It is no surprise that social media conduct and content increasingly affect the outcome of legal disputes and investigations. Smart litigants and lawyers start their research by checking social media sites. How do you obtain social media content for use in a case? When may a court order a social media host to disclose password-protected information? How can preservation of data be managed in the Cloud? In what format should social media data be produced? May a company put a 'legal hold' on employees' social media content? Here, experts give you vital knowledge and guidance on these crucial subjects and answer your questions on these important issues.

**Speakers: John Bagby, Jett Hanna, Noah Lang, Seth Row**

**Moderators: Dale Beauchamp and Helen Bergman Moure**

12:00 PM - 1:30 PM [Networking Luncheon](#)

1:30 PM - 2:45 PM **Concurrent Sessions**

**Best practices in project management – It's all about the team, documents and process**

Demanding requirements, tight deadlines and small budgets are standard in e-discovery projects. The quality of a project manager's work often dictates the outcome of a case and the size of the bill. Good project management should start by asking seven vital questions: who, what, when, where, why, how and how much. Who are vital members of project teams? What first steps should be taken? Where are the vital documents, who is the custodian and how can they be obtained? How can you meet budget and time constraints? What bottlenecks exist and how can they be overcome? Streamlining the process of identifying, preserving and collecting ESI takes careful and thoughtful collection strategies to find, preserve and collect it. Here, experts show you how to meet these challenges, like selecting the team, locating vital documents, and achieving efficiencies. They will give you answers and the questions you must ask to conduct your project well.

**Speakers: Julie Brown, Emma Quinn, Ram Vasudevan, Charles Volkert**

**Moderators: Jeff Jacobson and Kimarie Stratos**

**Special Masters, Referees, Liaisons and Neutrals: The new e-discovery court fixtures and how to use them**

E-discovery has become the most expensive, time-consuming part of most cases in litigation. As electronic data grows, so does the need to nip disputes over electronically stored information (ESI) in the bud, before they prolong litigation at great cost to all. Enter e-discovery neutrals, an emerging class of court-appointed special masters, liaisons, referees and other "auxiliaries" increasingly used to resolve ESI issues. The increase in e-discovery mediation firms and special master pilot projects indicates a demand for such neutrals. When should you use them, and how? How much do they cost? How do you measure their effectiveness? Where do you find qualified auxiliaries, and how do you assure their competence? When are adversaries too far apart for mediation to make a difference? In this panel, experts show how judges, litigants and other parties can use these neutrals to save time and money in resolving e-discovery disputes.

**Speakers: John Barkett, Robert Barth, Seth Row, John Upchurch**

**Moderators: Steve Fernelius and Ervin Gonzalez**

2:45 PM - 3:15 PM [Network Refreshment Break - Exhibition Hall](#)

3:15 PM - 4:45 PM **General Session: E-discovery knowledge nirvana – Top service providers' experts give you golden tips and best practices**

The great software and services offered by the many e-discovery service providers are made possible by the knowledge and guidance of experts the companies and firms employ. Many of these experts will attend the ACEDS conference with their companies. We make sure they not only meet you at our social events and Exhibition Hall, but share their best practices and job tips. We have arranged a conference session where the experts participate in a "lightning e-discovery knowledge nirvana." In rotation, they will give you their best, most current practice tips. They will not be product or services infomercials. They will be golden nuggets of advice they share with their companies in developing their products. You will leave with dozens of invaluable pointers from some of the leading minds in the field. This 90-minute session will give you an invaluable potpourri of sound advice!

**Speakers: 50 Great E-Discovery Service Provider Subject Matter Experts**

5:15 PM - 6:45 PM [Beachside Networking Reception](#)

## Tuesday, April 3, 2012

7:30 AM - 6:30 PM Registration

8:00 AM - 9:00 AM E-Discovery Knowledge Breakfasts Courtesy of Huron Consulting Group

7:30 AM - 9:00 AM [Continental Breakfast - Exhibition Hall](#)

9:00 AM - 10:15 AM **General Session: E-discovery malpractice – Preventing the new risk that lawyers face, cutting malpractice insurance costs and protecting reputation**

A Los Angeles state court case filed in 2011 against megafirm McDermott Will & Emery has put a spotlight on lawyer e-discovery malpractice. It is the first such case. New e-discovery duties and penalties have elevated risk and sensitized clients to high standards lawyers should keep. Law firms of all sizes that litigate now face this challenge – a client claim or lawsuit for e-discovery malpractice. Vendors of software, staffing and outsourcing and consultants also face this risk. Their lawyer and business clients also wield the malpractice weapon. Malpractice insurance carriers are watching this closely. They look for "risk management." What should lawyers do to control this risk? What are the best internal and external processes to limit potential malpractice? What do malpractice insurers say about "risk management"? How can lawyers protect their reputation when a claim appears? Here, four experts answer these questions and guide you on this crucial subject.

**Speakers: Rafael Bernardino, Noah Lang, Al Lindsay, Nancy Stuparich**

**Moderators: Robert Hilson and Charles Intriago**

10:15 AM - 10:45 AM [Networking Refreshment Break - Exhibition Hall](#)

10:45 AM - 12:00 PM **Concurrent Sessions**

**Core training for new e-discovery players and those who need a refresher – What you must know to get by**

For those who think e-discovery might be a passing fancy, it's time to face reality. It's here to stay. If terms like ESI, metadata, concept searching, proportionality, and data protection laws evoke quizzical looks on your face, this session is a must-attend. Ignorance is not bliss in e-discovery because it carries great risk and cost. The first provision of the Rules of Professional Responsibility of most bar associations imposes a duty of "competence." This mini-seminar is an outstanding way for those who are new to the field to learn the essentials. It will give you knowledge that helps you understand e-discovery and become conversant with it. It is also a great refresher course for those who have been in the field. Top experts give you an introduction to the field that now permeates litigation and the essential knowledge to help you cope in today's environment of electronically stored information.

**Speakers: Andrea Gibson, Helen Bergman Moure, Seth Row**

**Moderators: Michele Lange and Kimarie Stratos**



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**No sabía que teníamos que guardar estos archivos (Translation: I didn't know we had to preserve these records) – Curing cross-border language, norms, custodians and venue headaches**

The legal obstacles surrounding international e-discovery steal the headlines, but the logistics of securing and reviewing foreign data from worldwide repositories pose an equally difficult task. As the world shrinks and litigants traverse national borders more often, they encounter obstacles from cultural differences and different attitudes toward “e-disclosure.” Therefore, obtaining evidence abroad can be a headache even for experienced international attorneys. How do foreign technologies complicate document reviews? Should documents overseas be brought home for review or searched there? How do distinct languages complicate discovery? How do you ensure a reliable translation? Assembling teams of multidisciplinary experts at home and abroad is crucial to tackling these dilemmas. Where do you find them? Are your country's foreign missions helpful in any of these steps? Here, seasoned cross-border professionals show you how to prepare for and successfully navigate the challenges you'll face on the ground, wherever that may be.

**Speakers: Steve Fernelius, Stephanie Giammarco, Adam Landa, Jon Talotta**

**Moderators: Ervin Gonzalez and Al Lindsay**

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12:00 PM - 1:30 PM [Networking Luncheon](#)

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1:30 PM - 2:45 PM **Concurrent Sessions**

**Do-It-Yourself (DIY) Discovery – Just do it? Key factors in deciding when doing it in-house or outsourcing is right for you**

E-discovery is expensive. Businesses, law firms, government agencies and other organizations that seek to meet their e-discovery responsibilities are constantly exploring the alternatives of doing it in-house or outsourcing their work to hundreds of companies and firms that profess to be competent to do the work. Choosing the correct in-source, out-source or hybrid model for performing e-discovery work can have a major impact on operations, costs and profitability. What e-discovery functions are moving in-house and why? What tasks are best handled outside and internally? Does it make sense to purchase particular applications that may soon be outdated? What capital investments and records management policies should you have when you seek to hire vendors? What products does every in-house e-discovery group need to succeed in this field? Should data be hosted internally or in the Cloud? How reversible are these decisions? Here, experts share best practices in making the right decisions on these important options.

**Speakers: Michele Lange, Arnaldo Perez, Kimarie Stratos, David Yerich**

**Moderators: James Bickley and Stephanie Giammarco**

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**The ethics of e-discovery in the electronic information age – Safeguarding your career and your reputation**

E-discovery presents a range of ethical pitfalls that didn't exist in the paper era. How much transparency do you really owe your opponent? What type of advice to a client is permissible concerning harmful posts on social media sites? How closely must you manage and supervise document reviews by vendors? Money brings temptation and there's lots of it here. Are your litigation support staff and vendors engaged in the unauthorized practice of law? What is the responsibility of a litigating lawyer who is not competent in e-discovery and does not meet the duty of “competence” that all Codes of Professional Responsibility impose? Are you aiding and abetting a violation of foreign law by obtaining information overseas that the nation's data protection law prohibits from disclosure? Experts here will identify many of the crucial ethical challenges that e-discovery has surfaced and show you how to meet them, safeguard your career and protect your reputation.

**Speakers: John Barkett, Rafael Bernardino, Andrea Gibson, John Upchurch**

**Moderators: Robert Hilson and Charles Intriago**

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2:45 PM - 3:15 PM [Networking Refreshment Break - Exhibition Hall](#)

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3:15 PM - 4:30 PM **Concurrent Sessions**

**Managing contract lawyers and document reviews effectively to avoid client problems and angry superiors**

Discovery, generally, requires disclosure of information that bears on the issues or is requested. It does not require disclosure of privileged information, such as attorney-client communications. The proliferation of records in the electronic age has made the weeding out of privileged records from those that must be disclosed costly and risky. Law firms and companies now use vendors for tasks like document reviews. In big cases, a vendor may put dozens of employees on a case assigned by a law firm. They may do the work, but the lawyer is always responsible to the client. If something goes wrong, the client may seek remedies. The challenge is to produce quality service, stay within budget and meet deadlines. What quality control standards must you follow with the work of outside vendors? How do you select competent ones? Here, experts answer these questions and guide you on how to manage projects successfully.

**Speakers: Adam Landa, Nancy Stuparich, Ram Vasudevan, Charles Volkert**

**Moderators: Seth Row**

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**Asking the right questions, getting the right answers – A how-to guide on buying products and services**

The rapid proliferation of electronically stored information in all types of litigation and business processes has made hiring outside help a necessity in many instances. Technology vendors and other service providers have proliferated at the same pace and happily oblige. Faced with a vast array of choices, how do you decide which products or services best fit you and your case? Which services do you need and which are little more than an unnecessary frill? How should you negotiate service and technology agreements? When the clock is ticking and your budget is tight, should you purchase from one vendor that purports to offer “end-to-end” e-discovery or buy from a “best-in-breed” provider that excels in one area? In e-discovery, one size does not fit all. Here, experienced experts who have bought in the marketplace show you how to navigate purchases skillfully.

**Speakers: Dale Beauchamp, James Bickley, Julie Brown, David Yerich**

**Moderators: Michele Lange and Emma Quinn**

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4:30 PM - 4:40 PM Time to Move to General Session Room

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4:40 PM - 5:50 PM **General Session: International e-discovery – Getting data in countries with tough data protection and privacy laws, but little or no discovery**

The US practice of allowing wide, mutual discovery with tough penalties on non-cooperative litigants and their lawyers is unknown in the rest of the world. Many nations have strict privacy and data protection laws that prohibit disclosure of information that is sought in US litigation. The result is that litigants and lawyers face conflicts of laws at a time when a shrinking world produces more transnational litigation. A US court may order disclosure of data that another country says cannot be divulged. Is there a solution for this dilemma? What is the best way to navigate cases successfully and reduce the risk of violating the requirements of either country? How do “safe harbor” provisions work? What must a US company with records in other countries do when they are sought in a US case? Here, experts give you answers and show you how to maneuver through conflicting national policies.

**Speakers: Ervin Gonzalez, Al Lindsay, Emma Quinn, Jon Talotta**

**Moderators: Charles Intriago and Kimarie Stratos**

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6:15 PM - 7:45 PM [Beachfront Networking Reception - Exhibition Hall](#)

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## Wednesday, April 4, 2012

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7:30 AM - 5:00 PM Registration

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7:30 AM - 9:00 AM [Continental Breakfast - Exhibition Hall](#)

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9:00 AM - 10:15 AM **General Session: Paying your opponent's e-discovery bills – Facing and navigating the risks of the US 'Taxation of Costs' laws**

A federal law allows a judge or clerk of court to “tax costs” on parties. Some states have similar laws. A civil procedure rule says a “prevailing party” may have its costs, except attorneys' fees, paid by the losing party. These provisions are being applied to e-discovery costs, even though they are silent on such costs. This may deter aggressive e-discovery demands and prompt scrutiny of the bills e-discovery vendors present to prevailing parties. What standards do courts and clerks use to determine what costs are taxed? The cost taxation law uses terms like “exemplification,” “copying” and “necessarily obtained for use” in a case, but not “e-discovery.” Can losing parties limit taxable costs? Is it being applied consistently in the 93 federal districts? Leading experts on this panel, including a chief federal court clerk, guide you in this important cost-shifting arena.

**Speakers: John Barkett, Robert Barth, Jeff Jacobson, Helen Bergman Moure**

**Moderators: Robert Hilson and Charles Intriago**

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10:15 AM - 10:45 AM [Networking Refreshment Break - Exhibition Hall](#)

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10:45 AM - 12:00 PM **General Session: How predictive coding and other emerging forms of 'intelligent review' are altering the e-discovery landscape – Is keyword searching out?**

Document review is being reshaped by powerful new technologies that are rendering obsolete a generation of keyword-based approaches. Computer-assisted review, or “predictive coding,” can automate reviews by leveraging complex algorithms with minimal lawyer participation. Its proponents call it the future of document review, capable of cutting costs while surpassing the accuracy of techniques once thought to be best practice. Still, intelligent review is not for everyone. Should it be used as a stand-alone method, or only in tandem with others? Can it be conducted in-house? Can it cut costs in small cases? How can you defend its use in court if a review goes awry? Is its technology difficult to learn? Experts answer these questions and help you reap the benefits and avoid the pitfalls of this new search frontier.

**Speakers: Dale Beauchamp, Jett Hanna, Michele Lange, Jay Leib**

**Moderators: Ervin Gonzalez and Seth Row**

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12:00 PM - 12:10 PM Closing Remarks

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12:15 PM - 2:00 PM Lunch on Your Own

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12:30 PM - 4:30 PM [ACEDS 2nd Annual 'Legal Hold-in-One' Golf Tournament - \(Proceeds to Kristi House, South Florida\)](#)

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<input type="checkbox"/> Payment enclosed (payable to ACEDS)	<input type="checkbox"/> Bill my organization, Purchase order # _____				
<input type="checkbox"/> Charge my credit card (circle one)	American Express	Diners Club	Discover	MasterCard	Visa
Credit card #	Exp. date		CVV#		
Name on card (use block letters)	Signature				
Billing address					

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**To sponsor or exhibit at the conference, contact Matt Dodge, mdodge@aceds.org or call 786-517-2721.**

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