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The law is changing rapidly to keep up with new uses of technology. Lawyers must understand today's technology and the emerging law to take advantage of these additional sources of discoverable material and to avoid sanctions, malpractice, and ethical violations. The prudent lawyer will understand how emerging trends and the latest cases affect his or her work. Invest just 90 minutes in the convenience of your office to stay current. Ask the faculty questions via live email. Registrants will have complimentary online access to the archive after the course.

**What You Will Learn**

- Employee Privacy Rights In The Post-*Quon* Era – How May Federal And State Approaches Be Expected To Evolve?
- The Duty To Preserve – What May a Party Be Required To Do To Prevent The Loss Of ESI?
- The Duty To Preserve – What Does “Control” Mean?

**Program Schedule**

*All times eastern daylight*

1:00 p.m.   Electronic Data in Litigation: Trends and Developments  

Questions and Answers  

2:30 p.m.   Adjournment

Total 60-minute hours of instruction: **1.5**; total 50 minute hours of instruction: **1.8**

**Suggested Prerequisite:** Some experience in electronic discovery and litigation.

**Educational Objective:** Acquisition of knowledge and skills to develop proficiency as a practitioner; maintenance of professional competence as a practitioner; provision of information on recent legal developments.

**Level of Instruction:** Intermediate
ALI-ABA Topical Courses
Electronic Data in Litigation: Trends and Developments
ESI Quarterly: Fall 2010

September 14, 2010
Telephone Seminar/Audio Webcast

PLANNING CHAIR

The Hon. Ronald J. Hedges
Ronald J. Hedges LLC
484 Washington Ave
Hackensack, NJ 07601-6513

FACULTY

Maura R. Grossman
Wachtell, Lipton, Rosen & Katz
51 W 52nd St Fl 31
New York, NY 10019-6119

Jeane A. Thomas
Crowell & Moring LLP
1001 Pennsylvania Ave NW
Washington, DC 20004-2505
Ronald J. Hedges
Ronald J. Hedges LLP, Hackensack, New Jersey

Ronald J. Hedges is the principal of Ronald J. Hedges LLC. He has extensive experience in e-discovery and in management of complex civil litigation.

Mr. Hedges serves as a special master, arbitrator, mediator and consults on e-discovery and records management. He served from 1986 to 2007 as a United States Magistrate Judge in the United States District Court for the District of New Jersey, where he was the Compliance Judge for the Court Mediation Program and both a member and reporter for the Civil Justice Reform Act Advisory Committee. From 2001 to 2005 he was a member of the Advisory Group of Magistrate Judges. Mr. Hedges has been an adjunct professor at Seton Hall University School of Law (1993-2007) and at Georgetown University Law Center (2006-present). He co-chaired the Planning Committee of Georgetown University Law Center's Advanced E-Discovery Institute in November 2008 and serves on the planning committees of the Institute, the Corporate Counsel Institute, and the E-Discovery Academy.

Publications Include:

Memberships Include:
Maura R. Grossman
Counsel, Litigation
Wachtell, Lipton, Rosen & Katz, New York

Maura R. Grossman joined Wachtell, Lipton, Rosen & Katz as an associate in the Litigation Department in 1999, and was appointed Counsel in 2007. Ms. Grossman has represented Fortune 100 companies and major financial services institutions in corporate and securities litigation, including civil actions and white collar criminal and regulatory investigations. She currently focuses her practice on advising lawyers and clients on legal, technical, and strategic issues involving electronic discovery and information management, both domestically and abroad, as well as on matters of legal ethics.

Ms. Grossman speaks and writes frequently on electronic discovery and legal ethics. She is a member of The Sedona Conference® Working Groups on Best Practices for Electronic Document Retention and Production, and on International Electronic Information Management, Discovery, and Disclosure. She assisted in drafting and editing The Sedona Conference® Commentary on Achieving Quality in the E-Discovery Process (May 2009 Public Comment Version), and also serves on the Advisory Board of BNA’s Digital Discovery & e-Evidence Report, as well as the Georgetown Law E-Discovery Advisory Board.

Ms. Grossman is involved in various initiatives to provide training on electronic discovery to state court judges and court-appointed special masters and mediators. She also is a coordinator of the 2010 Legal Track of the National Institute of Standards and Technology’s Text REtrieval Conference ("TREC"), a joint government/industry/academic research project studying the application of automated information retrieval technologies to the growing challenge of e-discovery.

Ms. Grossman graduated with an A.B., magna cum laude, from Brown University. She received an M.A. and Ph.D. in Clinical/School Psychology from Adelphi University, and a J.D., magna cum laude, Order of the Coif, from the Georgetown University Law Center. While at Georgetown, Ms. Grossman served as Executive Notes and Comments Editor of the Georgetown Law Journal.

Ms. Grossman is a member of the Association of the Bar of the City of New York, and has served on its Committee on Professional and Judicial Ethics, as well as a member of the New York State Bar Association and the American Bar Association.

Jeane A. Thomas
Partner
Crowell & Moring, Washington, D.C.

Jeane A. Thomas is Chair of the firm’s E-Discovery and Information Management Group and a partner in Crowell & Moring's Antitrust Group. In her role with the E-Discovery practice, Ms. Thomas has managed many types of E-Discovery matters in both government investigations and private litigation. She regularly counsels clients on Litigation Readiness Planning, including the development and application of effective document/data retention policies, legal hold practices,
and corporate content policies, as well as E-Discovery response plans. Ms. Thomas is a participating member of the Sedona Conference Working Group on E-Discovery, and co-chairs the Working Group's Healthcare Team. She is also a member of the Advisory Board and Faculty of the Georgetown University Law Center Advanced Institute for E-Discovery. She regularly speaks and writes on E-Discovery issues.

Ms. Thomas is engaged in all types of antitrust representations, including mergers and joint ventures, class and individual civil litigation, and civil and criminal government investigations. She also counsels clients on a broad range of antitrust issues, including intellectual property and licensing issues, trade association law, the Hart Scott Rodino Act, and pricing and distribution issues. She has focused extensively on the telecommunications, technology, chemicals and healthcare/pharmaceuticals industries.

Currently, Ms. Thomas is involved in counseling clients on a broad range of merger and joint venture issues. These representations include major transactions in the telecommunications, chemicals, electronics and metals industries. She played a principal role in Cingular Wireless' acquisition of AT&T Wireless, SBC's acquisition of AT&T, and AT&T's acquisition of BellSouth.

Throughout her career, Ms. Thomas has always maintained an active docket of pro bono representations. In the past, she has litigated post-conviction death penalty cases in Texas and Virginia in state and federal courts, and she currently represents an individual in post-conviction proceedings in Mississippi.

Ms. Thomas has been recognized by clients and peers as a top lawyer in Chambers USA in Antitrust.

In The News

Ms. Thomas was featured in the September 2006 edition of InsideCounsel for her participation in a roundtable on the updated changes to the new Federal Rules of Civil Procedure for e-discovery that offer practical solutions for the growing burdens of discovery in the information age. The article was titled, "Claw-Back Conundrum: Updated Discovery Rules Threaten to Reveal Privileged and Confidential Information" by Michael T. Burr.

Ms. Thomas was featured in the June/July 2005 edition of Law Office Computing for her efforts in developing a first-class document review and e-discovery program for her representation of Cingular Wireless and other client matters. Read the article, "Spotlight on the Discovery Process: Two Firms Find Electronic Discovery Solutions" by Janet Roberts.

Education

Ohio State University, B.A., 1986 - summa cum laude
Georgetown University Law Center, J.D., 1989 - cum laude

Affiliations

Admitted to practice: District of Columbia, Maryland

Publications

"Reducing the costs of privilege reviews and logs," *The National Law Journal*, In Focus: E-Discovery (March 23, 2009). Co-Authors: Jeane A. Thomas, David D. Cross and Courtney Ingraffia Barton.


