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# Speaker Biographies

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## Program Chairs

**Kevin F. Brady** is a partner at Connolly Bove Lodge & Hutz LLP's Business Law Group. He is co-chair of the Business Law Group and chair of the Information Security, Electronic Discovery and Records Management Group. He represents clients in a variety of areas including corporate litigation, commercial litigation, electronic discovery and records management, insurance litigation and arbitration and mediation. He is experienced as lead counsel or co-counsel on significant matters in the Delaware Court of Chancery, the Delaware Superior Court and the District of Delaware as well as multiple jurisdictions outside of Delaware. Mr. Brady has been recognized by *Best Lawyers in America* as a recommended practitioner in Delaware. He received his B.A. from the University of Delaware, his M.B.A. from Widener University and his J.D. from Widener University School of Law.

**Robert A. Eisenberg** is Vice President of Planet Data Solutions. Previously, he was Director of E-Discovery Services at LDiscovery, LLP. He has over 30 years experience practicing law and rendering consultative services relating to the discovery of Electronically Stored Information (ESI), computer forensics, "proactive" electronic data preservation and retention and traditional paper-based litigation support services. Mr. Eisenberg frequently conducts seminars, CLE courses and other presentations on the subjects of e-discovery, Computer Forensics and Electronic Records Management. He is the creator of a seminar program in Automated Litigation Support Services at Georgetown University's Legal Assistant Certification Program (LAP) and a member of that program's Advisory Board. Mr. Eisenberg is a founding member of one of the premier policy groups serving the disciplines of electronic record management and e-discovery, The Sedona Conference Working Group on Best Practices for Electronic Document Retention & Production (SWG), and has contributed in the creation of white papers on best practices for electronic data discovery and electronic record management for SWG. He received his B.A. from Long Island University and his J.D. from Hofstra University School of Law.

**Hon. John M. Facciola** was appointed a United States Magistrate Judge in the District of Columbia in 1997. Prior to being appointed to the bench, he served as an Assistant District Attorney in Manhattan, and was in private practice in the District of Columbia. Judge Facciola joined the U.S. Attorney's Office in 1982 and served as Chief of the Special Proceedings section from 1989 until his appointment as Magistrate Judge. Judge Facciola is a member of the Sedona Conference Advisory Board, the an Advisory Board for this Institute and he is also the former Editor in Chief of The Federal Courts Law Review, the electronic law journal of the Federal Magistrate Judges Association. He has recently been appointed to the Board of Directors of the Federal Judicial Center. His most recent publication is *Sailing on Confused Seas: Privilege Waiver and the New Federal Rules of Civil Procedure*, 2006 FED. CTS. L. REV. 7 (2006). He received his A.B. from the College of the Holy Cross and his J.D. from the Georgetown University Law Center.

**Jonathan M. Redgrave** is a partner at Nixon Peabody LLP and the leader of Nixon Peabody | Redgrave. He focuses his practice on information law matters, regularly addressing issues involved in the discovery of electronically stored information as well as issues concerning records retention, data protection and privacy. Mr. Redgrave helped found, was the first chair of, and is currently chair emeritus of the highly successful Sedona Conference Working Group on

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Electronic Document Retention and Production. He is also a co-chair of this acclaimed Institute and also currently serves as a member of the Advisory Committee on the Electronic Records Archives. He has written or co-authored numerous articles and spoken more than 100 times across the world on these issues in the past 10 years. Notably, he serves as editor-in-chief of THE SEDONA PRINCIPLES: BEST PRACTICES RECOMMENDATIONS & PRINCIPLES FOR ADDRESSING ELECTRONIC DOCUMENT PRODUCTION (2004, 2005, 2007), (2005 and 2007 Annotated Versions available through BNA Books) and is the co-author of *Discovery of Electronic Information, BUSINESS AND COMMERCIAL LITIGATION IN FEDERAL COURTS* (West Publishing) (December 2005; rev. December 2006, August 2007, and August 2008) (with Hon. Shira A. Scheindlin). Mr. Redgrave has been recognized for the second consecutive year for exceptional standing in the legal community in *Chambers USA: America's Leading Lawyers for Business for 2009* for Privacy & Data Security: E-Discovery. He received his B.A. from the University of Notre Dame and his J.D. from the University of Minnesota Law School.

### Planning Co-Chairs

**Sherry B. Harris** is the E-Discovery Advisor at Hunton & Williams LLP. She has over 30 years of litigation experience, with an emphasis on management and coordination of document-intensive multi-jurisdictional complex litigation and U.S. regulatory investigations. Although she has a strong background in antitrust compliance, corporate records management, legal hold procedures, and information lifecycle management, the onslaught of electronic discovery has become a focal point of her responsibilities. She works with clients to develop defensible legal hold processes and litigation readiness plans, and provides training programs unique to particular clients for in-house legal departments and business units addressing such topics as email management, electronic discovery and the legal hold preservation process. She also works with Fortune 100 clients to develop standardized litigation management protocol applicable to all litigation to achieve a consistent approach to all matters across all practice areas. She is a charter member of and active participant in The Sedona Conference® Working Group on Best Practices for Electronic Document Retention and Production, a member of The Sedona Conference WG1 Steering Committee and a member of the RFP+ User Group.

**Martin J. Jaron, Jr.** is a partner at Holland & Knight LLP. He is a trial and appellate lawyer whose practices focus on complex commercial litigation of corporate, real estate, banking, and technology cases. He is co-chair of the firm's Electronic Discovery Team and practice group leader of the firm's Litigation Support Group. He received his B.A. from the Indiana University of Pennsylvania, his M.P.A. from the American University and J.D. from the American University, Washington College of Law.

### Keynote Speaker

**Hon. Lee H. Rosenthal** was appointed a United States District Court Judge for the Southern District of Texas, Houston Division in 1992. Before then, she was a partner at Baker & Botts in Houston. Chief Justice Rehnquist appointed Judge Rosenthal as a member of the Judicial Conference Advisory Committee on Civil Rules in 1996. She served as chair of the Class Actions subcommittee during the development of the 2003 amendments to Rule 23. She was appointed chair of the Civil Rules Committee in 2003 and served during the “restyling” of the

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Civil Rules and the adoption of the electronic discovery amendments. In 2007, Chief Justice Roberts appointed Judge Rosenthal to chair the Judicial Conference Committee on the Rules of Practice and Procedure, which coordinates the work of the Advisory Committees for the Civil, Criminal, Evidence, Appellate, and Bankruptcy Rules. Judge Rosenthal is a member of the American Law Institute, where she serves as an advisor for the Aggregate Litigation project and was an advisor for the Transnational Rules of Civil Procedure project. In 2007, she was elected to the ALI Council. Judge Rosenthal has twice been named the "Trial Judge of the Year" by the Texas Association of Trial and Appellate Lawyers. Judge Rosenthal received her undergraduate and law degrees from the University of Chicago.

### Speakers

**Craig D. Ball** has established his own law practice, Craig D. Ball P.C. He is a Board Certified trial lawyer and certified computer forensics expert. His monthly e-discovery column, *Ball in Your Court*, appears in the LAW TECHNOLOGY NEWS. As Chair of the State Bar of Texas Technology Advisory Committee, he created the MYTexasBar web portal, which is now used by over 45,000 lawyers. Named as one of the Best Lawyers in America and a Texas Superlawyer, Mr. Ball is a recipient of the Presidents' Award: the State Bar of Texas' most esteemed recognition of service to the profession. Mr. Ball holds a B.A. from Rice University and a J.D. from The University of Texas School of Law.

**Dr. Katharine L. Ball** serves as Chief Medical Information Officer for Holy Cross Hospital. In addition, she serves as an Assistant Adjunct Professor in Johns Hopkins University School of Medicine's Division of Health Sciences Information. She has extensive leadership experience and a proven record of accomplishment of success in applied healthcare IT initiatives and working on company-wide compliance in medium and large healthcare systems, as well as experience in HIT consulting. Additionally, she has expertise in mitigating risk exposure of medical errors caused by IT, as well as in legal electronic health record (L-EHR) issues and EHR records management. She is a national speaker on issues of data integrity and electronic health information systems and exchanges. She has co-authored a publication by The Sedona Conference® on electronic stored information in healthcare and an upcoming AHIMA book on healthcare issues and electronic discovery (Fall 2009). Her research arena focused on corporate compliance and the L-EHR with a thesis entitled: *Organizational Approaches to Early Litigation Readiness for Electronic Discovery of Electronic Health Records: A Modified Delphi Study*. She is a member of The Sedona Conference® Working Group on Electronic Document Retention and Production, the International Standard's HL7 EHR-S Records Management and Evidentiary Support Functional Profile working group, the American Health Information Management Association (AHIMA), the American Health Lawyers Association Practice Group for Health Information Technology and the American Medical Informatics Association. Dr. Ball received her B.A. from Lehigh University, her M.D. from the Medical College of Pennsylvania, and a post-doctorate degree from Johns Hopkins University.

**Jason R. Baron** has served since 2000 as Director of Litigation for the National Archives and Records Administration, and is an internationally recognized speaker and author on the preservation of electronic records. He was recently named Co-Chair of The Sedona Conference® Working Group on Electronic Document Retention and Production, and has

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previously served as Editor-in-Chief of THE SEDONA CONFERENCE BEST PRACTICES COMMENTARY ON THE USE OF SEARCH AND INFORMATION RETRIEVAL METHODS IN E-DISCOVERY (2007), and Co-Editor-in-Chief of THE SEDONA CONFERENCE COMMENTARY ON ACHIEVING QUALITY IN THE E-DISCOVERY PROCESS (2009). He is a founding co-coordinator of the TREC legal track, as well as co-organizer of the DESI workshops (Discovery of ESI) held in Palo Alto (2007), London (2008), and Barcelona (2009). Mr. Baron has been a trial lawyer and senior counsel with the Department of Justice, a Visiting Scholar at the University of British Columbia, and is currently an Adjunct Professor at the University of Maryland's Graduate College of Information Studies. He also presently serves on this Institute's Advisory Board and has been on the faculty of the Georgetown Law CLE E-Discovery Training Academy. Among his many honors for public service, Mr. Baron was named a recipient of the 2008 Fed 100 Award, sponsored by *Federal Computer Week*, for his e-discovery related advocacy. Mr. Baron received his B.A. from Wesleyan University, and J.D. from the Boston University School of Law.

**Alexander Blumrosen** is a partner at Bernard-Hertz-Béjot. His practice specializes in the arbitration and litigation of business disputes and information technology. He has appeared as counsel to parties in institutional and ad hoc arbitrations, or as arbitrator in matters involving commercial contracts, joint ventures, franchise and distribution, and trademark and patent disputes. Mr. Blumrosen also has represented computer software and hardware companies regarding licensing, distribution, joint ventures and the regulation of encryption technology, and has advised telecommunications providers and ISPs with respect to e-commerce and French regulatory issues. He has written on several topics, including internet privacy and personal jurisdiction in internet cases. Mr. Blumrosen has served as a visiting professor at Hamline University since 2003, and is a member of the French Supreme Court Working Party on Risk, Insurance and Liability. He received his B.A. from Dartmouth College, his M.A. from New York University, his D.E.A. (Master of Advanced Studies) from the University of Paris, and his J.D. from Georgetown University Law Center.

**Allison L. Brecher** is a Senior Litigation Counsel and Director of Information Management & Strategy of Marsh & McLennan Companies, Inc. Ms. Brecher coordinates and oversees the search and collection of electronic records when requested of the company's more than 50,000 employees in over 100 countries in the context of litigation, subpoenas, government investigations, internal audits, and similar matters. She was recently selected to become a member of the Advisory Board of this Institute. She frequently writes and speaks about emerging issues relating to this growing area of law. Ms. Brecher received her B.A. from Union College and her J.D. from DePaul University College of Law.

**Deirdre Brekke** is Assistant General Counsel for Pactiv Corporation, a leading manufacturer of food packaging and related products, including the Hefty® brand line of consumer products. Ms. Brekke's responsibilities include serving as divisional counsel to the Specialty Products Division, managing the legal matters related to the Procurement, Real Estate, Treasury and Information Technology functions and handling other Law Department projects, including spearheading the task of updating and implementing the records retention policy and process at the company. Prior to joining Pactiv in January 2006, Ms. Brekke spent five years with Cardean Learning Group LLC, an online education company, serving during the last two years as general counsel and sole in-house attorney. Her in-house career has also included senior positions in the

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legal departments of Moore Corporation Limited, Sears, Roebuck & Co. and Monsanto Company. Ms. Brekke graduated with a B.A. in International Studies from Emory University and received her J.D. from the University of Georgia School of Law.

**William P. Butterfield**, is a partner at Hausfeld LLP in Washington, D.C. He focuses his practice on antitrust litigation and electronic discovery. Mr. Butterfield developed his interest in electronic discovery in the early 1990's when led the design and implementation of an electronic document repository to manage more than 15 million pages of documents in *In re Prudential Securities Limited Partnerships Litigation*. Mr. Butterfield has served as an Adjunct Professor at American University, Washington College of Law. He has testified as an expert witness on e-discovery issues, and speaks often on that topic in at numerous conferences domestically and abroad. Mr. Butterfield is on the Steering Committee of The Sedona Conference® Working Group 1, where he is editor-in-chief of the CASE FOR COOPERATION (2009), and was a co-editor of THE SEDONA CONFERENCE COMMENTARY ON PRESERVATION, IDENTIFICATION AND MANAGEMENT OF SOURCES OF INFORMATION THAT ARE NOT REASONABLY ACCESSIBLE (2008). He is also a member of Sedona Conference® Working Group 6 on International Electronic Information Management, Discovery and Disclosure. He received his undergraduate degree from Bowling Green State University and his J.D. from University of Toledo College of Law.

**Vincent M. Catanzaro** is Discovery Counsel and Litigation Support Manager for E. I. du Pont de Nemours & Company. In this role, Mr. Catanzaro is responsible for counseling the company concerning how best to comply with evolving legal standards relating to discovery, guiding and supporting the legal teams in the development of e-discovery response strategies and the use of litigation technology and databases, and coordination, management and monitoring the work of the company's discovery vendors. Before assuming this role, Mr. Catanzaro worked with various DuPont litigation groups specializing in discovery management and consulted on the development of DuPont's Discovery Policies and Guidelines. He is a current member of The Sedona Conference® Working Group on Electronic Document Retention and Production, a member of the Steering Committee of the DRI Technology Committee, Corporate Counsel Liaison, and a Certified Six Sigma Green Belt. Mr. Catanzaro received his undergraduate degree from Temple University and his J.D. from Widener University School of Law.

**Matthew I. Cohen** is Managing Director at AlixPartners LLC. He specializes in electronic discovery and litigation readiness planning. He has extensive experience assisting corporations in the technology, consumer products, pharmaceutical, medical device, insurance, and financial services sectors in preparing for and responding to discovery demands in litigation and regulatory matters and in managing discovery in complex litigations and regulatory matters. Prior to joining AlixPartners, Mr. Cohen worked for 15 years in the New York office of Skadden, Arps, Slate, Meagher & Flom LLP, where he was a counsel in the Complex Mass Torts and Insurance Litigation department and co-chair of the firm's Electronic Discovery Committee. Mr. Cohen earned a J.D. from the Fordham School of Law and a B.A. from the State University of New York at Stony Brook.

**Tim Crouthamel** is the Litigation Support Section head for State Farm Insurance's Corporate Law Department. Mr. Crouthamel started with State Farm as a Claim Representative. Then, he was promoted to Claim Superintendent. After that, he became a Divisional Claim Superintendent

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and then moved to Corporate Headquarters as a founding member of Corporate Law's Extra Contractual Litigation Section. He has been in his present position as a Litigation Support Manager for State Farm since 1999. Mr. Crouthamel is also responsible for E-Discovery counseling at State Farm and he is a member of the Sedona Conference® and the Corporate Electronic Discovery Forum. Mr. Crouthamel received his B.A. from West Chester University and his J.D. from the University of Memphis.

**Conor R. Crowley** has started his own practice, Law Offices of Conor R. Crowley. Previously, he was a Managing Director and Associate General Counsel at DOAR Litigation Consulting in New York. Prior to joining DOAR, he was a practicing securities litigator with firms in Washington, D.C., Chicago and New York, most recently with Labaton Sucharow & Rudoff. He is a member of the Steering Committee for The Sedona Conference® Working Group on Best Practices for Electronic Document Retention and Production, as well as a co-editor of several of the Conference's publications. He is also a member of the Advisory Board for this Institute and regularly speaks at seminars and conferences across the country on legal and strategic issues related to electronic discovery and information management. Mr. Crowley received his B.S. from the University of Maryland and his J.D. from Catholic University.

**James Daley** is a partner at Daley & Fey LLP. He partners with clients in developing practical, legally compliant, and cost-effective solutions to e-discovery and e-records complaints challenges. Mr. Daley combines his years of complex-litigation experience with his Masters Degree in Management of Information Services to provide services such as litigation and e-records-compliance risk assessments, focused data mapping, litigation-readiness programs, legal-hold processes, computer-based records retention training, reducing volumes of legacy backup tapes, consulting as to electronic-records-management systems, and serving in the role of Special Master and Technology Advisor to federal and state courts. His service and publications include Co-Chair of the Sedona Conference® Working Group on International Electronic Information Management, Discovery and Disclosure (WG6), Executive Editor of the SEDONA CONFERENCE® FRAMEWORK FOR ANALYSIS OF CROSS-BORDER DISCOVERY CONFLICTS: A PRACTICAL GUIDE TO NAVIGATING THE COMPETING CURRENTS OF INTERNATIONAL DATA PRIVACY AND E-DISCOVERY, and Senior Editor of the SEDONA CONFERENCE® BEST PRACTICES COMMENTARY ON SEARCH AND RETRIEVAL METHODS (AUGUST 2007). Mr. Daley also serves as national coordinating e-discovery counsel for several clients, reducing the cost and improving the consistency of legal services in this complex area. Mr. Daley received his B.A. from Creighton University, his M.M.I.S. from Friends University, and his J.D. from the University of Iowa.

**Andrew P. Drake** is an Assistant General Counsel in the Discovery Management Unit in Nationwide's Office of the Chief Legal Officer. He specializes in technology-related legal issues and is the primary attorney for electronic discovery matters in the context of corporate litigation, employment law and financial and insurance regulatory compliance. Prior to joining Nationwide's legal team, Mr. Drake had a 12-year career in IT, with roles ranging from hands-on technician to senior project manager overseeing the implementation of multi-million dollar systems projects in the U.S. and overseas. He holds undergraduate degrees from the Ohio State University and a J.D. from Capital University.

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**Carmen Oveissi Field** is a managing director with Daylight Forensic & Advisory LLC in its New York office and leads the Forensic Technology practice. She is domain expert on electronic discovery and a frequent expert speaker on the topic. She has over sixteen years of experience in information technology, with a focus on supporting complex electronic discovery matters. Prior to joining Daylight, her consulting engagements included the design and implementation of litigation labs, the design and management of global data collection projects, the creation of electronic discovery plans and the auditing of electronic discovery vendor policies, procedures and work practices. She previously conducted penetration testing for financial institutions, designed and implemented secure solutions for NASA Headquarters while a member of the core architecture engineering team developed secure information technology solutions at IBM Global Services, and completed security analyses and remediation for multiple industries. She is a member of the ARMA International E-Discovery Advisory Group, this Institute's Advisory Board and is active in The Sedona Conference® Working Group on Electronic Document Retention and Production and the Working Group on International Electronic Information Management and Disclosure. She received a B.A. from the University of Virginia and an M.S. from the University of Washington.

**Hon. Judith K. Fitzgerald** has served on the Bankruptcy Court for the Western District of Pennsylvania since 1987 and served as Chief Judge from 2000 through 2004. She sits by designation in the Bankruptcy Court for the District of Delaware and formerly sat by designation in the Eastern District of Pennsylvania and the District of the Virgin Islands. Prior to her appointment to the bench, Judge Fitzgerald served nearly 12 years as an Assistant United States Attorney in the Western District of Pennsylvania, representing the United States and its agencies in civil and criminal cases, with an emphasis in complex litigation and frauds. Judge Fitzgerald served as President of the National Conference of Bankruptcy Judges and is a member of Bankruptcy Section Executive Council of the Commercial Law League of America. She held a seat on the board of the American Bankruptcy Institute and has served on several of its committees, including a position as co-chair of the Mass Tort Committee. She is a Fellow of the American College of Bankruptcy. Judge Fitzgerald held the position of non-voting representative to the Third Circuit Council and sat on its Bankruptcy and Magistrate Judges Committee. She was a member of the Bankruptcy Judges Advisory Committee of the Administrative Office of the United States Courts, which she chaired for two years, and the Education Committee for the Third Circuit. She has participated in several advisory groups and worked on projects concerning automation and technology policy formulation with the Administrative Office of the United States Courts. She has also served as an Adjunct Professor at the University Of Pittsburgh School Of Law. She publishes and lectures on bankruptcy, evidence and litigation topics and is actively involved in establishing a variety of educational opportunities for judges and practitioners in the insolvency arena. Judge Fitzgerald is listed in several "Who's Who" and has been recognized by *Turnaround and Workouts* multiple times as one of the top ten bankruptcy jurists of the year. Judge Fitzgerald received her undergraduate degree from the University of Pittsburgh and her J.D. from the University of Pittsburgh School of Law .

**Hon. James C. Francis, IV** is a United States Magistrate Judge in the Southern District of New York. Following graduation from law school, Judge Francis clerked for the Honorable Robert L. Carter in the Southern District of New York. He then joined the Civil Appeals and Law Reform Unit of the Legal Aid Society where he conducted impact litigation in the areas of housing and

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education and served as director of the Disability Rights Unit. Judge Francis currently serves as an Adjunct Professor at the Fordham University School of Law where he teaches Constitutional Torts. In the field of electronic data and the law, Judge Francis is the author of Rowe Entertainment, Inc. v. William Morris Agency, 205 F.R.D. 421 (S.D.N.Y. 2002), a case involving procedures for electronic discovery and the allocation of costs, Convolve, Inc. v. Compaq Computer Corp., 223 F.R.D. 162 (S.D.N.Y. 2004), concerning the obligation to preserve ephemeral data, and Treppel v. Biovail Corp., 233 F.R.D. 363 (S.D.N.Y. 2006), which deals with standards for preservation orders for electronic data. He received his B.A. from Yale College, his J.D. degree from the Yale Law School, and an M.P.P. from the John F. Kennedy School of Government at Harvard University.

**Michelle Greer Galloway** is of counsel in the litigation department at Cooley Godward Kronish LLP in the litigation department. She joined the firm in August 1993 and was a partner from January 1997 through April 2000. Ms. Galloway's technology practice focuses on patent litigation and strategic counseling with a more general practice regarding electronic discovery issues. Ms. Galloway is a lecturer at Stanford Law School in Patent Litigation and a lecturer at Santa Clara Law School in both Patent Litigation and Pretrial Litigation. She is a member of Stanford's Law, Science and Technology advisory board and Santa Clara's High Tech Advisory Board. She has lectured and published on a wide range of both general and IP litigation topics including electronic discovery, expert witnesses, depositions, motion practice, and privilege. Ms. Galloway received a B.A. from Stanford University and a J.D. from Stanford Law School.

**Andrew D. Goldsmith** is First Assistant Chief in the Environmental Crimes Section of the Environment and Natural Resources Division at the U.S. Department of Justice. Mr. Goldsmith was awarded the Attorney General's John Marshall Award for Distinguished Service in 2005 and the Distinguished Service Award from the Department of Justice in 2004. Prior to joining the DOJ, Mr. Goldsmith was Chief of the Environmental Crimes Unit at the New York Attorney General's Office; Assistant U.S. Attorney for the District of New Jersey; Assistant District Attorney in Manhattan County, New York, and was in private practice. He has spoken widely on e-discovery issues from the government perspective. He earned his B.S. from Cornell University and his J.D. from Albany Law School.

**Gilbert O. Greenman** is a partner with Williams & Connolly LLP, representing clients in a wide range of cases in federal and state courts, arbitrations, and administrative hearings. In recent years, Mr. Greenman has primarily focused on defending leading law firms against a variety of claims, with occasional representation of other clients in complex civil and criminal matters. Previously, he assisted in the successful representation of President Clinton in the Department of Justice's 1997 inquiry into alleged violations of the Pendleton Act and at the 1999 impeachment proceedings in the Senate. In addition, Mr. Greenman authored *A Cautionary Tale of Malpractice in the Computer Age*, 30 LITIGATION 39 (2003). Mr. Greenman is a member of the Advisory Board of this Institute. He received his B.A. from Columbia University and his J.D. from Harvard Law School.

**Quintin Gregor** is Chief Operating Officer and Chief Privacy Officer at Strategic Data Retention. He is a former software developer, with more than 28 years of practical experience in the areas of computer operations, tape, data, file analysis and forensics. He is an expert in the

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areas of electronic discovery and computer storage technology. He was engaged in both the famous Coleman vs. Morgan Stanley, 2005 WL 679071 (Fla. Cir. Ct.) and Zubulake vs. UBS, 217 F.R.D. 309 (S.D.N.Y. 2003) matters. As a trusted advisor, he works directly with counsel, corporate executives and IT technical staff to deliver objective advice in all phases of electronic discovery. His services include electronic discovery consulting with emphasis on cost containment, litigation readiness planning, litigation information lifecycle management, data preservation, computer forensics, email recovery and reconstruction, analysis and defensible reduction of tape archives, and transactional data auditing and analysis. Mr. Gregor is also frequently called upon to advise on viability, access and recovery techniques for archival data collections. He has worked on many of the largest electronic discovery cases in recent years covering intellectual property theft, stock options backdating, dealer-brokers, healthcare, energy, banking, and high tech industries. Prior to joining Strategic Data Retention, Mr. Gregor was a Managing Director HSNO and an expert at LECG, LLC. Prior to this he founded the electronic discovery and forensics practice at eMag Solutions LLC. He holds an M.S. from the Georgia Institute of Technology.

**Hon. Paul W. Grimm** is Chief Magistrate Judge for the U.S. District Court of the District of Maryland. He has served as an Assistant State's Attorney and had over a decade of experience in private practice before being appointed Judge. In addition, Judge Grimm received the Maryland Bar Foundation 2001 Professional Legal Excellence Award for the Advancement of Professional Competence, and the Maryland Institute for the Continuing Professional Education of Lawyers Distinguished Service Award in 1998. Judge Grimm has also written numerous books and articles on evidence, procedure and trial practice, and is an adjunct faculty member of the University of Maryland and University of Baltimore Schools of Law. He received his A.B. from the University of California, Davis, and his J.D. from the University of New Mexico School of Law.

**Maura R. Grossman** joined Wachtell, Lipton, Rosen & Katz as an associate in the Litigation Department and was appointed counsel. Ms. Grossman has represented Fortune 100 companies and major financial services institutions in corporate and securities litigation, including both civil actions and white collar criminal and regulatory investigations. Ms. Grossman currently focuses her practice exclusively on advising attorneys and clients on legal, technical, and strategic issues involving electronic discovery and information management, as well as on matters of 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). Ms. Grossman is involved in various initiatives to provide training on electronic discovery to state court judges and court-appointed special masters and mediators. Since 2008, she has served as a Topic Authority in the Legal Track of the National Institute of Standards and Technology's Text Retrieval Conference studying the use of automated information retrieval technology to address the growing demands of electronic discovery. Ms. Grossman received an A.B. from Brown University, an M.A. and Ph.D. from Adelphi University, and a J.D. from the Georgetown University Law Center.

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**Ronald J. Hedges** is the principal in 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 for the United States District Court for the District of New Jersey, where he was, among other things, both a member of and reporter to 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 Georgetown University Law Center since 2006. He serves on the planning committees for the Advanced E-Discovery Institute, the Corporate Counsel Institute, and the E-Discovery Academy. His publications include, among other things, Discovery of Electronically Stored Information: Surveying the Legal Landscape (BNA: 2007); Managing Discovery of Electronic Information: A Pocket Guide for Judges (co-author) (FJC: 2007). He is also a member of, among other things, The Sedona Conference Advisory Board.

**Anne Kershaw** is the founder of A. Kershaw, P.C., Attorneys & Consultants, a nationally recognized litigation management consulting firm providing independent analysis and innovative recommendations for the management of all aspects of volume litigation challenges. Ms. Kershaw has been involved with high tech litigation management for almost two decades, taking management roles on national coordinating and trial counsel teams defending multi-state products liability claims. In addition, Ms. Kershaw consults on electronic data discovery issues and FRCP 30(b)(6) technology depositions. She is also a faculty member of Columbia University's Executive Master of Science in Technology Management program, and was involved in federal civil rules reform to address electronic discovery issues and provided electronic discovery survey data and testimony before the Federal Civil Rules Advisory Committee. In addition, she is one of the principal drafters of NAVIGATING THE VENDOR DISPOSAL PROCESS: BEST PRACTICES FOR THE SELECTION OF ELECTRONIC DISCOVERY VENDORS and a contributing editor of THE SEDONA CONFERENCE® GLOSSARY FOR E-DISCOVERY AND DIGITAL INFORMATION MANAGEMENT (July 2005 version), both publications of the Sedona Conference® Working Group on Best Practices for Electronic Document Retention and Production RFP+ Group. She received her B.A. from Bard College and her J.D. from New York Law School.

**Gilbert S. Keteltas** is co-chair of Howrey's Environmental, Product and Tort practice. He tries and litigates complex tort, environmental and commercial matters in federal, state and administrative courts. As lead trial counsel, Mr. Keteltas won an unprecedented trial verdict in a case of first impression against the California Air Resources Board. He also assisted in the defense and settlement of the largest mobile source enforcement action in history, and the second-largest environmental enforcement case ever tried to a jury. Mr. Keteltas defends clients in enforcement actions by state and federal agencies, product liability cases, toxic torts, citizen suits and other private party actions. As a member of a national Howrey legal team, Mr. Keteltas co-managed the nationwide environmental litigation docket for a major petroleum company. He currently represents a global manufacturer in multiple tort suits based on alleged exposure to vehicle emissions. In addition to his integral role in developing the firm's tort and environmental law practice, Mr. Keteltas is a leading tort risk reduction expert and lecturer. Recognized as a thought leader on emerging climate change litigation matters, he acts as a trusted advisor to Fortune 500 clients on emerging litigation issues, electronic discovery strategy and best practices

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relating to electronically stored information. He received his B.S. from Cornell University and his J.D. from Georgetown University Law Center.

**Robert J. Koch** is a partner resident in Milbank, Tweed, Hadley & McCloy, LLP's litigation department, where he specializes in intellectual property matters. Mr. Koch is recognized as one of the nation's leading biotech and pharmaceutical patent attorneys and is known for his leadership in a number of the landmark cases in the field. He has more than 30 years of experience in patent and other complex intellectual property litigation involving trademarks, trade secrets, unfair competition and copyright issues primarily concentrated in the federal district courts, the International Trade Commission (ITC) and the Court of Appeals for the Federal Circuit (CAFC). Mr. Koch's representations have ranged from start-up biotech companies to major U.S. and European pharmaceutical houses and have included important pioneering biotechnology breakthroughs, practical consumer medical devices and classic blockbuster drugs. In addition to his work as lead counsel, his hands-on IP experience has included preparation and prosecution, opinions, merger and acquisition due diligence, portfolio management, pharmaceutical patent term extensions, counseling, licensing, arbitration, mediation and expert witnessing. He frequently speaks and writes on intellectual property topics in both Europe and the Americas and is a member of the CAFC Practice Subcommittee of the Intellectual Property Section of the American Bar Association, District of Columbia Bar, Virginia State Bar, Federal Circuit Bar Association, ITC Trial Lawyer Association, Washington Patent Lawyers Club, Federation Internationale Des Conseils En Propriete Industrielle and Great Britain's Chartered Institute of Patent Agents. Mr. Koch holds a B.S. from the University of Detroit and a J.D. from the Catholic University of America.

**Mark R. Koehn** is of counsel in the litigation and intellectual property practice groups of Paul, Hastings, Janofsky & Walker LLP's Washington DC office. He is a former information technology consultant turned litigator and registered patent attorney. In addition to handling a broad range of patent litigation, including in disputes regarding medical devices, pharmaceuticals, and software, Mr. Koehn has litigated and arbitrated several disputes regarding failed software development projects. Prior to earning his law degree, Mr. Koehn was a senior consultant with the predecessor to Accenture, where he supervised design and installation of information systems including the pilot for the U.S. Securities and Exchange Commission's Electronic Data Gathering and Retrieval (EDGAR) system. Mr. Koehn received his J.D. from the Georgetown University Law Center, graduating *cum laude*. He received his B.S. in operations research and industrial engineering, *with distinction*, from Cornell University where he studied project management techniques and was appointed to Tau Beta Pi – the engineering honor society. He is admitted to practice in the District of Columbia, Maryland and Virginia as well as the United States Patent and Trademark Office.

**Hon. Royce C. Lamberth** was appointed United States District Judge for the District of Columbia on November 16, 1987. He served as a Captain in the Judge Advocate General's Corps of the United States Army from 1968 to 1974. After service at Fort Bragg, North Carolina, and in Vietnam, Judge Lamberth served in the Litigation Division of the Office of the Judge Advocate General of the Army at the Pentagon from 1971 to 1974. Judge Lamberth served as an Assistant United States Attorney for the District of Columbia from 1974 to 1987. He was Chief of the Civil Division of the United States Attorney's Office, 1978 - 1987. He is

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former Chairman of the Federal Litigation Section of the Federal Bar Association, and a member of the American Bar Association and the Bar Association of the District of Columbia, and the District of Columbia Bar. Judge Lamberth is also former Chairman of the Professional Ethics Committee of the Federal Bar Association. Judge Lamberth was appointed by Chief Judge Rehnquist to be the Presiding Judge of the United States Foreign Intelligence Surveillance Court from 1995 to 2002. Judge Lamberth served as a member of the Committee on Automation and Technology of the Judicial Conference of the United States from 1990 to 1996. Judge Lamberth received his B.A. from the University of Texas and his LL.B. degree from the University of Texas School of Law.

**Ralph C. Losey** is a shareholder and practicing attorney with Akerman Senterfitt, practicing in the areas of electronic discovery and commercial litigation. Mr. Losey is also an Adjunct Professor of Law teaching electronic discovery and advanced e-discovery courses at the University of Florida College of Law and is the author of the American Bar Association's two best selling books on electronic discovery: *INTRODUCTION TO E-DISCOVERY: NEW CASES, IDEAS, AND TECHNIQUES* (2009); and, *E-DISCOVERY: CURRENT TRENDS AND CASES* (2008). He is also the author of the well known law review article on the mathematics underlying e-discovery: *HASH: the New Bates Stamp*, 12 *JOURNAL OF TECHNOLOGY LAW & POLICY* 1 (June 2007), and more recently on the ethics underlying e-discovery: *Lawyers Behaving Badly: Understanding Unprofessional Conduct in e-Discovery*, 60 *MERCER L. REV.* 983 (Spring 2009). Finally, he is also the author and publisher of the popular weekly blog on e-discovery - the *e-Discovery Team Blog* ([ralphlosey.wordpress.com](http://ralphlosey.wordpress.com)), which currently has over 250,000 visits per year. Mr. Losey received his B.A. from Vanderbilt University and his J.D. from the University of Florida College of Law.

**James L. Michalowicz**, a Director with ACT Litigation Services, counsels clients on creative solutions for managing electronic discovery and minimizing discovery risk and cost by building effective EDRM programs. Previously, Mr. Michalowicz has worked as the Litigation Program Manager for Tyco International, Inc., and for over a decade at E.I. DuPont de Nemours and Company as Legal Services Manager where he was an integral part of the team implementing the highly regarded DuPont Legal Model. Mr. Michalowicz is a member of this Institute's Advisory Board, and has been active in the Working Group on Electronic Document Retention and Production ("WG1") since its formation, serving as an editor of *THE SEDONA GUIDELINES: BEST PRACTICES FOR MANAGING INFORMATION & RECORDS IN THE DIGITAL WORLD* (2005). Mr. Michalowicz also serves on the boards for the Council on Litigation Management and BNA's Digital Discovery and e-Evidence newsletter.

**Mark E. Michels** joined Cisco in January 1996 as the first attorney dedicated to support the US Federal Sales team. Mr. Michel's responsibilities soon expanded to include managing the legal team supporting Cisco's Sales organizations in the Western Hemisphere. In late-2000, Mr. Michel moved from supporting Sales to become the first attorney at Cisco responsible for managing commercial litigation and disputes. In his current role, he focuses on litigation case management and discovery support. Mr. Michel joined the law firm of McKenna & Cuneo in 1987. He was an associate attorney in the D.C. and San Francisco offices of the firm where his practice focused on government contracts disputes and international regulatory matters until he

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joined Cisco in 1996. Mr. Michels received his B.A. from the Georgetown University School of Foreign Service and his J.D. from Georgetown University Law Center.

**Frank C. Morris, Jr.** is a member of the firm of Epstein Becker & Green, P.C. in the Litigation practice and heads the Labor and Employment Practice in the Washington, DC office, and is the Chair of the firm's Disability Law Group. Mr. Morris advises private and public sector clients on many different areas of law, including electronic platform, Internet, social networking and E-mail policy and litigation. He has litigated Supreme Court and Court of Appeals cases raising issues under Title VII, the ADEA, ERISA, Executive Order 11246 and the National Labor Relations Act. Mr. Morris writes, speaks and teaches regularly on various employment and litigation topics. Mr. Morris is an adjunct professor of law at George Washington University Law School where he teaches Discrimination Law and has taught Employment Claims and Litigation. He has also been asked to speak to the trial and appellate judges for the 3rd, 4th, 5th, 6th, 7th and 11th Circuits on employment and disability law. He was again recently named as a Washington D.C. Super Lawyer. Mr. Morris received his B.S. from Northwestern University and his J.D. from the University of Virginia School of Law.

**Thomas Morrissey** is responsible for the development and implementation of technology supporting the Office of the General Counsel at Purdue Pharma LP. Mr. Morrissey is responsible for all aspects of collection, preservation, discovery and production of documents and data in support of the Office of General Counsel. He works closely with counsel, vendors and consultants in support of these efforts. His experience prior to Purdue was as the Manager of Practice Systems for Summation Legal Technologies, Inc and CaseVault in New York. Prior to that, Mr. Morrissey was the Manager of Practice Support Services at Kelley Drye & Warren LLP in New York. Mr. Morrissey has been in the legal profession for over 25 years as a litigation paralegal, paralegal manager and litigation support manager, and has spoken and presented at many conferences. He is on the Law Department Steering Committee of ILTA and is past President of the National Association of Litigation Support Managers (NALSM) and the East Coast Association of Litigation Support Managers (ECALSM). Mr. Morrissey holds a B.B.A. degree from Iona College, a Paralegal Certificate from Mercy College, and is a trained MCSE.

**Hon. Nan R. Nolan** was appointed as a United States Magistrate Judge for the Northern District of Illinois in 1998. Judge Nolan began her legal career as a staff attorney for the Federal Defender Program in Chicago, and then worked in private practice where she gained extensive experience handling complex criminal cases. She is a member of the Advisory Board for The Sedona Conference and a member of this Institute's Advisory Board. Judge Nolan regularly speaks on the topic of electronic discovery at conferences and seminars throughout the United States. Judge Nolan received her bachelor's degree from Loyola University and her J.D. from DePaul University College of Law in Chicago.

**Patrick Oot** is Vice President and General Counsel of the Electronic Discovery Institute. Previously, he was Director of Electronic Discovery and Senior Counsel at Verizon in Arlington, VA. He has extensive experience in discovery practices involving commercial litigation, regulatory filings, and antitrust matters. Mr. Oot was charged with advising Verizon's business units on electronic discovery while developing new technologies that increase cost-efficiency. Currently, Mr. Oot is a member of this Institute's Advisory Board, and The eDiscovery

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Conference's working groups; focusing on best practices for selecting search and retrieval technology and e-mail management systems. He is a member of the International Legal Technology Association and co-chairs Martindale-Hubble's Counsel to Counsel electronic discovery roundtables. Mr. Oot lectures regularly at educational events, legal conferences, and general counsel round tables across the country. He received both his B.A. and J.D. from Syracuse University and his LL.M. from Georgetown University Law Center.

**Timothy M. Opsitnick** is the Senior Partner and General Counsel of JurInnov Ltd, which he founded. Mr. Opsitnick is at the forefront of practitioners addressing issues involved in the discovery of electronically stored information and the development of case management and document management systems. His consulting practice focuses on the development of litigation and document management systems, document and electronic data warehousing, electronic discovery, electronic risk management, and computer forensics. He has also conducted numerous continuing legal education seminars regarding electronic discovery and other technology issues. In addition, he has served as a Special Master and as an expert witness. In addition, Mr. Opsitnick is a member of the American Bar Association, International Bar Association, Ohio State Bar Association, Cleveland Bar Association, Cuyahoga County Bar Association, ARMA International, and InfraGard. Mr. Opsitnick was with the law firm of Jones Day from 1986 until 2000, where he was a member of the Litigation and Product Liability sections. His practice concentrated in the management of complex, multi-district litigation. Mr. Opsitnick received his B.A. from Ohio Wesleyan University and his J.D. from Case Western Reserve University School of Law.

**George L. Paul** is a partner at Lewis and Roca, LLP, in Phoenix, Arizona. He has long been a civil litigation lawyer, and has many jury trials under his belt. He consults on digital evidence issues, particularly in the health care industry, where he is a member of the CDA Subcommittee of a HL7 working group. Mr. Paul is the author of FOUNDATIONS OF DIGITAL EVIDENCE, and the co-author of THE DISCOVERY REVOLUTION: E-DISCOVERY AMENDMENTS TO THE FEDERAL RULES OF CIVIL PROCEDURE. In addition, he is also the author of many articles, including *Information Inflation: Can the Legal System Adapt?*, 13 RICH. J.L. & TECH. 10 (2007), co-authored with Jason Baron. He is currently working on a book on Advanced Advocacy Techniques, to be published by the American Bar Association. Mr. Paul received his B.A. from Dartmouth College and his J.D. from Yale Law School.

**Hon. Andrew J. Peck** was appointed United States Magistrate Judge for the Southern District of New York in 1995 and served as Chief Magistrate Judge in 2004-2005. Judge Peck served as law clerk to Judge Paul Roney of the United States Court of Appeals for the Eleventh (then the Fifth) Circuit during the 1977-1978 term. Previously, Judge Peck was an associate and counsel at the firm of Paul, Weiss, Rifkind, Wharton & Garrison. His practice in commercial litigation emphasized entertainment and intellectual property litigation as well as arbitration, including service as an arbitrator for the American Arbitration Association. Judge Peck is an adjunct professor at Cardozo Law School, where he teaches a course in Pretrial Practice. Judge Peck received his A.B. from Cornell University and his J.D. from Duke University School of Law.

**Kenneth Rashbaum** is the founder of Rashbaum Associates, LLC. In his thirty years of experience as a litigator, trial lawyer and counselor, he has been the trusted advisor to health care

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providers, health plans and multinational corporations on information governance and its compliance with federal, state, and international law. He has served as partner and Co-Chair of the E-Discovery, Compliance and Data Management Practice Group of AmLaw 100 law firm Sedgwick, Detert, Moran & Arnold, LLP, and Director of Consulting of Fios, Inc., where he founded and supervised the Health Care and Cross-Border divisions. Mr. Rashbaum has vast experience counseling multinational corporations on data protection and privacy laws and regulations in Europe, Asia, Canada, and South America. In his capacity as a nationally known expert on data privacy, he counsels health care providers on compliance with federal, state and judicial standards governing protected health information preservation, use and disclosure. He was Co-Editor-in-Chief of THE SEDONA FRAMEWORK FOR ANALYSIS OF CROSS-BORDER DISCOVERY CONFLICTS: A PRACTICAL GUIDE TO NAVIGATING THE COMPETING CURRENTS OF INTERNATIONAL DATA PRIVACY AND DISCOVERY, The Sedona Conference® (WG6), and has written several publications on the topic of e-discovery. He received his B.A. from the State University of New York, College at New Paltz, and his J.D. from Hofstra University School of Law.

**Daniel L. Regard** is a Managing Director at Intelligent Discovery Solutions, Inc. He is nationally recognized as an electronic evidence and case management expert with twenty years experience in consulting to legal and corporate entities. A programmer and an attorney by training, Mr. Regard has conducted system investigations, created data collections, and managed discovery on some of the highest profile financial investigations of the last decade. He is responsible for the development and implementation of case and matter strategies that leverage technology to clients' best advantage in both litigations and investigations. Mr. Regard has both national and international experience advising on such issues as electronic discovery, computer forensics, database development, application software, data analysis, and repository services. He has worked as a testifying expert and as a court appointed neutral on issues of electronic discovery. Mr. Regard holds a B.A. from the University of Southwestern Louisiana and an M.B.A. and a J.D. from Tulane University.

**Kimberly Baldwin-Stried Reich** is an independent healthcare compliance and e-discovery consultant with 25 years experience in a variety of healthcare settings. She is a Registered Health Information Administrator, Certified in Healthcare Compliance and a Certified Professional in Healthcare Quality. She has been an active member of the American Health Information Management Associations' Electronic Health Information Management Working Groups since 2006. She is a national speaker and author on the topics of health information operations, e-discovery and healthcare compliance. Since 2006, she has been an active member of the Health Level Seven Working Group responsible for review and development of the Records Management and Evidentiary Support profile for the design and development of Electronic Health Record systems. Ms. Reich was elected to the Board of the Illinois Health Information Management Association in 2009 and currently serves as the Director of Legislation and Advocacy. She is an active member of The Sedona Conference® Workgroup I on Best Practices for Electronic Document Retention and Production and the Public Health Data Standards Consortium's Privacy, Security and Data Sharing Committee. She is also a member of the Electronic Discovery Reference Model Healthcare Information Management Working Group. Ms. Reich holds a M.B.A. from the Lake Forest Graduate School of Management, a

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M.J. in Health Law and Policy from the Beazley Institute for Health Law and Policy at the Loyola University Chicago School of Law.

**Mark V. Reichenbach** is currently the VP of Client and Industry Development for Capital Legal Solutions, a similar role he also held with MetaLINCS/i365, a Seagate Company. He has had a long career in the Litigation Support and E-Discovery space. In that time, he has had the pleasure of working on all sides of the E-Discovery Quadrangle, which has afforded him significant experiences at Am Law Defense and Plaintiff firms, an executive position at a Fortune 100 company's General Counsels office and two select service providers. There among other duties, Mr. Reichenbach was responsible for creating the Key Client Review Program, the Social Outreach program and the Lunch and Learn program. He is an active member of The Sedona Conference® Working Group on Electronic Document Retention and Production (WG1) and The Sedona Institute CLE programs. He is a member of this Institute's Advisory Board and an experienced CLE instructor.

**Edward H. Rippey** is a partner at Covington & Burling LLP, litigating complex commercial cases in numerous fields with a focus on patent litigation. He has managed matters in fora throughout the country for several Fortune 500 corporations. These matters have included such fields as patent, antitrust, consumer, transportation, energy, sports, environmental, copyright, communications, and securities law. In addition, Mr. Rippey co-chairs the firm's E-Discovery Practice Group, and regularly speaks nationwide on this subject. Mr. Rippey is active in the firm's litigation, trial practice, and patent law groups. In addition, he is involved in several firm committees. He is affiliated or a member of the following: IQPC E-Discovery Advisory Board (2008-present); LexisNexis Litigation Services Advisory Board (2006-present); Applied Discovery Advisory Board (2004-2006); DRI E-Discovery Committee; CPR E-Discovery Committee; Harvard College Schools Committee. Mr. Rippey clerked for the Honorable Chief Judge Joseph E. Stevens, Jr., of the U.S. District Court, Western District of Missouri, from 1994-1995. Mr. Rippey received his B.S. from Harvard College and his J.D. from Harvard Law School.

**Richard R. Roberts** serves as a Managing Director in Federal Express Corporation's Legal Department. He concentrates his practice in the area of employment litigation. Mr. Roberts joined FedEx as a senior attorney in its commercial litigation practice. Since joining FedEx, he has defended the company in commercial and employment cases throughout the country, including the defense of FedEx in a number of class actions. Prior to joining FedEx, he was a partner at Armstrong Allen (now Adams & Reese), where he primarily practiced in the areas of medical malpractice, insurance defense, products liability and commercial litigation. He has acted in several fundraising capacities for local museums and the Memphis Area Legal Services. Mr. Roberts received his B.A. from the University of Mississippi and his J.D. from Washington & Lee University Law School.

**Herbert L. Roitblat**, Ph.D., is a Principal and co-founder of OrcaTec LLC. Before starting OrcaTec, Dr. Roitblat was Chief Scientist and a co-founder of DolphinSearch. Dr. Roitblat was an award-winning Professor of Psychology at the University of Hawaii from 1985 until 2002. In addition to his scientific work, Dr. Roitblat has been writing extensively about the problems of dealing with massive amounts of electronic data and the emerging standards for dealing with

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those problems. He is a member of The Sedona Conference® Working Group on Electronic Document Retention and Production. He received his B.A. from Reed College and his Ph.D. from The University of California-Berkeley.

**Hon. James M. Rosenbaum** was appointed as a United States District Judge for the District of Minnesota in 1985. Prior to this, he served for four years as Minnesota's United States District Attorney. He began his career as a VISTA attorney trying federal civil rights cases, ultimately moving to trial work upon returning to Minnesota. His "*In Defense of...*" articles (located at <http://www.greenbag.org>) analyze the intersection of law, privacy and technology. His newest, "*In Defense of Rule 808*," examines the admissibility of electronically-discovered documents. Judge Rosenbaum has been named one of Minnesota's "100 Most Influential Lawyers." He has spoken on electronic discovery and intellectual property issues throughout the United States and in nearly a dozen foreign countries. Judge Rosenbaum received both his B.A. and J.D. from the University of Minnesota.

**John J. Rosenthal** is a litigation partner at Winston & Strawn LLP, representing clients across the globe in an array of complex antitrust and litigation matters. His practice also involves counseling clients on a variety of trade regulation, trademark, and commercial issues. Mr. Rosenthal is chair of the firm's e-discovery and electronic information practice group and is one of the most experienced practitioners in the United States in the area of electronic discovery and risk reduction from electronic discovery. With this background, he counsels a wide variety of companies on record retention programs, compliance with electronic discovery, and implementing programs to reduce risk associated with the generation and retention of electronic records. Mr. Rosenthal also lectures across the United States on the issues of electronic discovery and record retention programs. Mr. Rosenthal is a participant in The Sedona Conference® on Best Practices for Electronic Discovery and Records Management. To date, this group has put together two authoritative pieces on these issues, which have been cited by various federal and state courts. Mr. Rosenthal received his B.A. from Johns Hopkins University and his J.D. from the University of Virginia School of Law.

**George I. Rudoy** is the Director of Global Practice Technology & Information Services at Shearman & Sterling LLP. Mr. Rudoy is responsible for the strategic implementation of practice-specific and information management solutions and services, including worldwide oversight of the Practice Technology Support Group and the firm's Information Center. Additionally, he is responsible for advising the firm's attorneys and clients on all aspects of applied legal technology. Previously, Mr. Rudoy held management positions in legal support at a number of AmLaw 100 law firms, including Cravath, Swaine & Moore LLP and Schulte Roth & Zapel LLP. He periodically writes on a variety of legal tech topics for the main industry publications. For his work in the Practice Management area, Mr. Rudoy was named the 2008 "Champion of Technology" by *Law Technology News* as well as the "Tech Star 2007" and "2006 Globally Recognized" awards by *Cititech Magazine Global Tech Leaders Top 100*. Mr. Rudoy is chair of the ALM Law & Business Legal Tech Education Board, Vice President of the International Legal Technology Association (ILTA) Practice Management Peer Group, author of the *Electronic Data Discovery News and Analysis* and serves on the Advisory Boards of this Institute, *Law Technology News*, and Law.com. Mr. Rudoy received his B.A. from New York University.

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**Hon. Shira A. Scheindlin** is a United States District Judge for the Southern District of New York. Before taking her seat, Judge Scheindlin worked as a prosecutor, commercial lawyer and judge. From 1977 to 1981, she was an Assistant United States Attorney for the Eastern District of New York, and later was general counsel for the New York City Department of Investigation. She has tried several high-profile cases involving electronic discovery proceedings, including Zubulake v. UBS Warburg, 217 F.R.D. 309 (S.D.N.Y. 2003) an early case involving the imposition of sanctions for noncompliance with a hold on electronic documents, and SEC v. Collins & Aikman Corp., 256 F.R.D. 403 (S.D.N.Y. 2009), obliging the government to search its own electronic data to produce responsive documents. She has received the Distinguished Jurist Award from the National Association of Criminal Defense Lawyers, the William J. Brennan Award from the Criminal Law Section of the New York State Bar Association, and the William Nelson Cromwell Award for unselfish service from the New York County Lawyers Association. She received her B.A. from the University of Michigan, her M.A. from Columbia University, and her J.D. from Cornell Law School.

**David C. Shonka** is the Principal Deputy General Counsel of the Federal Trade Commission and has served as the agency's Acting General Counsel. He heads the FTC's E-Discovery Steering Committee. Before becoming the Principal Deputy, he served as the Assistant General Counsel for Litigation at the FTC from 1993. Before joining the FTC, Mr. Shonka was an associate in a Washington D.C. law firm and a litigator in the Civil Division of the United States Department of Justice. In his career at the FTC, Mr. Shonka has tried and argued competition and consumer protection cases in the federal district courts, tried cases in administrative proceedings, represented the Commission in numerous appellate cases, and contributed to the government's briefs in several Supreme Court cases. Besides having been an active litigator, Mr. Shonka has advised the Commission on the entire range of legal and policy issues that have come before the Commission; and he has represented the Commission in several international programs. Mr. Shonka received his J.D. from the University of Maine School of Law.

**Hon. Joseph R. Slight, III** was appointed to the Superior Court of Delaware by Governor Thomas R. Carper on November 2, 2000. Prior to joining the Superior Court, Judge Slight was an associate in private practice with the firm Richards, Layton & Finger where his practice focused on corporate litigation. Previously, he was an associate with the Law Offices of Sidney Balick where he practiced in the areas of personal injury, commercial litigation and white collar criminal defense. Before joining Sidney Balick, he was a partner with the law firm Morris, James, Hitchens & Williams, where he practiced in the areas of health law, white collar criminal defense and corporate and commercial litigation. He was Vice Chairman of the Health Law practice group and Chairman of the firm's recruiting committee. He is a past President of the Richard S. Rodney American Inn of Court, and a past chair of the Health Law section of the Delaware State Bar Association. He currently serves as the Criminal Administrative Judge for New Castle County and has been specially assigned to preside over the Court's Seroquel litigation docket. Judge Slight received his B.S. from James Madison University, and his J.D. from Washington and Lee University School of Law.

**Miriam M. Smolen** serves as associate general counsel in Fannie Mae's litigation department. In this role, she manages complex commercial litigations and government investigations and

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directs the legal support of the company's anti-fraud activities, including investigation of mortgage fraud. Ms. Smolen also serves as e-Discovery counsel for the company managing litigation holds, document productions and vendor relationships. Previously, she served in Fannie Mae's Office of Corporate Compliance where she created and implemented Compliance Plans to mitigate legal and regulatory risk for business operations. Previously, Ms. Smolen was an Assistant U.S. Attorney with the U.S. Attorney's Office in the District of Columbia, and served a detail with the Department of Justice Computer Crime and Intellectual Property Section. She investigated and tried dozens of violent crime, narcotics, and financial fraud cases, including multi-million dollar embezzlements, health care fraud, and computer crime. She specialized in health care fraud and intellectual property and computer crime. She received numerous Justice Department Special Achievement Awards and was awarded the Department of Health and Human Services Integrity Award for prosecution of Medicaid fraud. Prior to joining the U.S. Attorney's Office, she was an associate with Latham and Watkins in Washington D.C. and clerked for the Honorable Stanley S. Harris, United States District Court, District of Columbia. Ms. Smolen received her J.D., from Boalt Hall School of Law, University of California Berkeley.

**Lisa J. Sotto** is a partner and the head of the Privacy and Information Management Practice at Hunton & Williams LLP. Ms. Sotto focuses on privacy, data security and information management issues. She was rated "No. 1 privacy expert" in 2007 and 2008 by *Computerworld* magazine. She also earned a number one U.S. national ranking for Privacy & Data Security from *Chambers and Partners*. In addition, Hunton & Williams LLP's Privacy & Information Practice received a number one U.S. national ranking from Chambers in Privacy and Data Security. Ms. Sotto assists clients in identifying, evaluating and managing risks associated with privacy and information security practices of companies and third parties. Ms. Sotto advises clients on GLB, HIPAA, COPPA, CAN-SPAM, FCRA/FACTA, Privacy Act, security breach notification laws, and other U.S. state and federal privacy requirements; Canada's PIPEDA; and global data protection laws. She drafts and negotiates contractual agreements concerning data uses, security and confidentiality. She also develops corporate records management programs, including policies, procedures, records retention schedules, and training modules. Ms. Sotto received her B.A. from Cornell University and her J.D. from the University of Pennsylvania Law School.

**Ariana J. Tadler** is a partner at Milberg LLP, specializing in securities fraud and consumer class action litigation. She currently serves as one of plaintiffs' liaison counsel in In re Initial Public Offering Securities Litigation, 21 MC 92 (S.D.N.Y.), a consolidated class action against 55 of the nation's most prominent investment banks and more than 300 corporate issuers. Ms. Tadler is a leading authority on electronic discovery, having chaired and spoken on this topic at numerous conferences both nationwide and abroad. She currently co-chairs the Steering Committee for The Sedona Conference®, the leading e-discovery "think tank," and she is a member of this Institute's Advisory Board. In addition, she serves on her firm's Executive Committee. Ms. Tadler received her B.A. from Hamilton College and her J.D. from Fordham University School of Law.

**Jeane A. Thomas** is Chair of Crowell & Moring's E-Discovery and Information Management Group and also a partner in the Firm's Antitrust Group. Ms. Thomas has managed many types

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of e-discovery matters in both government investigations and civil litigation. She regularly counsels clients on Litigation Readiness Planning, including the development and application of effective document/data retention policies, legal hold protocols, and corporate content and usage 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-chair of the Working Group's Healthcare Team. She is also a member of the Advisory Board and Faculty of this Institute. Ms. Thomas has been engaged in all types of antitrust representations, including mergers and joint ventures, class and individual civil litigation, and civil and criminal government investigations. She has focused extensively on the telecommunications, technology, chemicals and healthcare/pharmaceuticals industries. Ms. Thomas received her law degree from Georgetown University Law Center.

**Dr. Paul Thompson** is a research scientist at Dartmouth College in Hanover, New Hampshire, and Chief Computational Linguist at General Dynamics Advanced Information Systems in Buffalo, New York. Previously, he was the lead research scientist at Thomson Legal and Regulatory Group's West Group. He is a member of the Sedona Conference® Working Group on Electronic Document Retention and Production and is a member of Dartmouth's Legal Studies Faculty. He is a graduate of Western Washington State College and the University of California, Berkeley, School of Library and Information Studies.

**Barbara Van Gelder** is a partner at Morgan, Lewis & Bockius LLP. She is a former federal prosecutor and is well-respected for her ability to steer clients through the gamut of white-collar proceedings, from congressional investigations to civil qui tam actions to administrative hearings and criminal litigation. She has served as counsel to such high-profile clients as David Safavian, the former Bush administration official implicated in the Abramoff scandal, and former FDA Administrator Lester Crawford. *Washingtonian* magazine named Ms. Van Gelder a "top criminal defense lawyer," someone to call if "you find yourself drawn into an awkward congressional investigation, or worse, a grand-jury investigation by the Justice Department or the U.S. Attorney's office." Prior to joining Morgan Lewis, Ms. Van Gelder was a partner and head of the white collar litigation group at a national law firm in Washington, D.C., and she served over 14 years in the United States Attorney's Office for the District of Columbia in both the criminal and the civil divisions. Ms. Van Gelder received her B.A. from Boston University and her J.D. from the Emory University School of Law.

**Ellen M. Voorhees** is a Group Leader in the Information Technology Laboratory at the National Institute of Standards and Technology (NIST) in Gaithersburg, MD. Her primary responsibility at NIST is to manage the Text Retrieval Conference (TREC) project, a workshop series that develops methodology and infrastructure for evaluating search systems. In 2006, TREC introduced a "track" focused on e-discovery. Prior to joining NIST, she was a member of the research staff at Siemens Corporate Research in Princeton, NJ. She is an active member of the Association for Computing Machinery's Special Interest Group on Information Retrieval (ACM SIGIR) and the Association for Computational Linguistics, and has published numerous articles on information retrieval techniques and evaluation. She is a graduate of the Pennsylvania State University and Cornell University.

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## Speaker Biographies

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**Hon. David J. Waxse** is a United States Magistrate Judge for the United States District Court in Kansas City, Kansas. He has authored several pioneering decisions in electronic discovery disputes, including Williams v. Sprint/United Management Co., 230 F.R.D. 640 (D. Kan. 2005), interpreting the scope of electronic discovery to include metadata, and Williams v Sprint/United Management Co. 2006 WL 1867478, 99 Fair Empl. Prac. Cas.(BNA) 1489, (D. Kan. 2006), using the procedure created by the new Federal Rules of Civil Procedure to resolve issues of inadvertently produced electronically stored information. He is also an Observer to The Sedona Conference® Working Groups on Electronic Document Retention and Production (WG1) and International Electronic Information Management, Discovery and Disclosure (WG6). He has been a lecturer in law at the University of Kansas School of Law and has made many presentations on electronic discovery and other topics, including ones at programs presented by the American Bar Association, the American Association for Justice, the University of Kansas, and Georgetown University Law Center. He is the author of *Do I Really Have To Do That? Rule 26(a)(1) Disclosures and Electronic Information*, 10 RICH. J. L. & TECH. 50(2004). and *Trends in Discovery of Electronically Stored Information*, 25 ACC DOCKET 35 (January/February 2007). Prior to his appointment as a Magistrate Judge, he was a partner at Shook, Hardy & Bacon of Overland Park, Kansas. Judge Waxse received his B.A. from the University of Kansas and his J.D. from Columbia University School of Law.

**Paul D. Weiner, Esq.** serves as National E-Discovery Counsel for Littler Mendelson, P.C., the largest U.S.-based law firm exclusively devoted to representing management in employment and labor law matters worldwide. In this capacity, he and his Team of e-Discovery lawyers and litigation support personnel provide focused guidance and expertise on electronic discovery to the Firm's 750 lawyers located in 48 offices across the U.S., and the firm's clients. Littler is one of the first firms, and the only labor and employment firm, in the country to hire an attorney at the shareholder level to focus exclusively on working with clients in the challenging area of electronic discovery, reinforcing the firm's commitment to providing its clients with leading-edge solutions in this rapidly developing area. Mr. Weiner is a nationally-recognized thought leader in the area of electronic discovery. He has lectured and published extensively in the area of e-discovery, and has also served as a Court-appointed E-Discovery Special Master for the United States District Court for the Eastern District of Pennsylvania. Prior to joining Littler, Mr. Weiner was a litigation partner at an AM LAW 100 law firm, where he focused his practice on complex business litigation. Mr. Weiner received his B.A. from Boston University and his J.D. from Temple University School of Law.

**Leslie Wharton** is an attorney in the Office of General Counsel of the Securities and Exchange Commission. Prior to joining the SEC, she was a partner in the Washington D.C. office of Arnold & Porter LLP. She has written and spoken extensively on various issues affecting the attorney-client privilege and work product protections and on electronic discovery, both of which converge when the production of electronically stored information can cause a waiver of the privilege. Ms. Wharton received her B.A. from Boston University and her J.D. from Harvard Law School.

**Kenneth J. Withers** is the Director of Judicial Education and Content for The Sedona Conference®. Since 1989, he has published several widely-distributed papers on electronic discovery, hosted a popular website on electronic discovery and electronic records management

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issues, and given presentations at more than 250 conferences and workshops for legal, records management, and industry audiences. His most recent publication is *"Ephemeral Data" and the Duty to Preserve Discoverable Electronically Stored Information*, 37 U. BAL. L. R. 349 (2008). From 1999 through 2005, Mr. Withers was a Senior Education Attorney at the Federal Judicial Center in Washington DC, where he developed Internet-based distance learning programs for the federal judiciary concentrating on issues of technology and the administration of justice. He contributed to several well-known FJC publications, including the MANUAL FOR COMPLEX LITIGATION, FOURTH EDITION (2004), EFFECTIVE USE OF COURTROOM TECHNOLOGY (2001), and the CIVIL LITIGATION MANAGEMENT MANUAL (2001). Prior to joining Federal Judicial Center, he was Education Director at the Social Law Library in Boston and supervising attorney at Conley & Hodge Associates in Boston. He received his B.A. from Northeastern University, his J.D. from Northwestern University Law School, and his Masters in Library and Information Science from Simmons College.

**Christian Zeunert** is the Vice President and E-Discovery Manager at Swiss Re, one of the world's leading reinsurers, based in Zurich, Switzerland. He is responsible for developing and implementing Swiss Re's e-discovery strategy and reports to the key case management and litigation departments. Before joining Swiss Re, Mr. Zeunert worked with Roland Berger Strategy Consultants. He has seven years of experience in consulting, focusing in the last years on e-discovery related topics. Mr. Zeunert is lead editor for the Switzerland section of THE SEDONA CONFERENCE® OVERVIEW OF INTERNATIONAL E-DISCOVERY, DATA PRIVACY AND DISCLOSURE REQUIREMENTS. Prior to joining Swiss Re, he was a consultant with Roland Berger Strategy Consultants.