

Kimberly J. Duplechain

Shareholder

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Focus Areas

eDiscovery
Litigation and Trials
Discrimination and Harassment
ERISA and Benefit Plan Litigation
Class Action
Wage and Hour

Overview

Kimberly J. Duplechain counsels and advises Littler's lawyers and their clients on electronic discovery and information governance processes and best practices nationwide, in PAGA/class/collective actions, trade secret matters, whistleblower cases, and other types of employment litigation. Kim ensures that electronic discovery is handled in a defensible and cost-effective manner. She routinely provides advice, counsel, and solutions to clients in fulfilling their legal obligations, including:

- Preservation obligations
- Electronic discovery protocols
- Protective orders and clawback agreements
- Strategies for cost-efficient data collection and review
- Discovery and pre-trial motion practice

Kim leverages her in-depth, hands-on litigation experience and knowledge of advancements in technology to manage all discovery-related aspects of complex litigation, investigations, and subpoena response. Kim drafts legal briefs, policies, and process workflows; handles hearings; negotiates electronic discovery protocols and agreements; takes and defends depositions of IT personnel and experts; supervises forensic consultants and experts; and advises clients on navigating

emerging eDiscovery issues, including mobile device management, ephemeral data, collaboration platforms, and cloud-based systems.

Kim has been certified by the International Association of Privacy Professionals as a Certified Information Privacy Professional for Europe (CIPP/E), which demonstrates her understanding of U.S. and global concepts of privacy and data protection law and practice.

Kim serves in leadership positions within the eDiscovery legal community, including as a member of The Sedona Conference Working Group 1 Steering Committee and as co-chair of the ABA's National Institute on eDiscovery. Kim frequently speaks on issues relating to electronic discovery.

Before joining Littler, Kim litigated employment disputes and complex ERISA matters before federal district courts and the U.S. Court of Appeals for the District of Columbia Circuit, in addition to advising on eDiscovery matters. Kim also previously served as a Special Assistant United States Attorney in the U.S. Attorney's Office for the District of Columbia, Civil Division, where she litigated numerous cases brought against the United States.

Professional and Community Affiliations

- Program Co-Chair, National Institute on E-Discovery, American Bar Association, 2021-present
- Member, Steering Committee, Working Group on Electronic Document Retention and Production (WG1), The Sedona Conference®, 2022
- Member, Working Group on International Electronic Information Management, Discovery and Disclosure (WG6), Working Group on Trade Secrets (WG12), The Sedona Conference®
- Member, International Association of Privacy Professionals

Education

J.D., Georgetown University Law Center, 2009

B.A., Amherst College, 1999, *cum laude*

Bar Admissions

Virginia

District of Columbia

Courts

U.S. Court of Appeals, District of Columbia

Publications & Press

Littler Selects New Leaders for Bollo Affinity Group

Littler Press Release

March 26, 2024

Littler Elevates 33 Attorneys to Shareholder

Littler Press Release

January 6, 2022

Strengthening Diversity & Inclusion in E-Discovery in a Post-Pandemic World

LegalTech News

June 2, 2020

Littler Announces Winner of First Annual Wesley J. Fastiff Ingenuity Award

Littler Press Release

January 22, 2020

The Mutual Obligations – and Benefits – of Cooperation in Discovery

National Employment Lawyer's Association

April 2018

Speaking Engagements

2024 Mid-Atlantic Regional Employer Conference

Washington, DC

June 21, 2024

Flip the Script: Using Plaintiff's Data to Win Your Case

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2024

Judicial Perspectives on E-Discovery

The American Bar Association's 17th Annual National Institute on E-Discovery, Live and On-Demand

May 5, 2023

Electronic Evidence Issues In The Modern Era: Laying A Foundation For Trial

NELC 28th Annual Conference 2023, Washington, DC

May 3, 2023

Cybernetic Eyes May Be the Mirror of Our Soul: What Artificial Intelligence Can Teach Us about Human Biases

The Sedona Conference® Working Group 1 Midyear Meeting, Portland, OR
April 27, 2023

Stranger Things in eDiscovery: Ethical Challenges and Considerations for Discovery of New and Changing Technologies

The Sedona Conference® Working Group 1 Annual Meeting, Philadelphia, PA
October 28, 2022

eDiscovery in Small Cases

Panelist, The Sedona Conference® Working Group 1 Annual Meeting, Philadelphia, PA
October 27, 2022

The Application and Effectiveness of Discovery-Related Sanctions

The Sedona Conference Working Group 1 Midyear Meeting 2022, Phoenix, AZ
April 28, 2022

Tackling Technology in Discovery: Practice Tips on Electronically Stored Information (ESI)

22nd Annual Employment Law Update, Maine State Bar Association, Freeport, ME
April 7, 2022

Ethics and Technology at the Intersection of Proportionality and Scope of Discovery

The Sedona Conference® Working Group 1 Annual Meeting
October 21, 2021

Building a Diverse, Equitable, and Inclusive Culture

Zapproved's PREX 2021
September 28, 2021

Recruiting, Retaining, and Promoting Diverse Talent in the eDiscovery Community

The Sedona Conference Working Group 1 Midyear Meeting 2021
April 29, 2021

When Custodians Leave: Mitigating Risks of Departing Employees

15th Annual National Institute on E-Discovery
April 21, 2021

Inspire Greatness: How Inclusion and Diversity Elevates Your Workplace and Community

Relativity Fest 2020
September 23, 2020

eDiscovery in the #MeToo Era: The Need for Background and Viewpoint Diversity on the eDiscovery Team

The 14th Annual Sedona Conference Institute: eDiscovery, Data Privacy, and Security, St. Louis, MO
March 5-6, 2020

Case Law Update

The 14th Annual Sedona Conference Institute: eDiscovery, Data Privacy, and Security, St. Louis, MO
March 5-6, 2020

How to Navigate ESI Discovery Efficiently and Effectively

2020 MWELA Annual Conference, Metropolitan Washington Employment Lawyers Association, Washington, DC
January 31, 2020

Tracking Your Employees' Digital Trail

2019 Mid-Atlantic Employer Conference, Bethesda, MD
June 7, 2019

eDiscovery Training Academy

Georgetown University Law Center, Washington, DC
June 4-6, 2019

Case Law Update

The 13th Annual Sedona Conference Institute: Protecting Privacy, Confidentiality, and Privilege in Civil Litigation, Charlotte, NC
March 7-8, 2019

Addressing Privacy Issues in Social Media Discovery

The 13th Annual Sedona Conference Institute: Protecting Privacy, Confidentiality, and Privilege in Civil Litigation, Charlotte, NC
March 7-8, 2019

eDiscovery Training Academy

Georgetown University Law Center, Washington, DC
June 4-5, 2018

ESI Protocols - Setting the Table for E-Discovery

National Employment Lawyer's Association, Vienna, VA
April 13-14, 2018

Working Productively with the Other Side to Get What You Need

National Employment Lawyer's Association, Vienna, VA
April 13-14, 2018

