

Paul D. Weiner

Shareholder
National eDiscovery Counsel

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Practice Areas

eDiscovery

Overview

Paul serves as the firm's National eDiscovery Counsel. In this position, Paul provides focused guidance and expertise on electronic discovery matters to Littler's lawyers and their clients, ranging from case and client-specific advice about meeting preservation obligations, addressing initial "meet and confer" obligations, handling court appearances that address eDiscovery matters, developing strategies for efficient and effective data harvesting, review and production, to implementing cost-shifting/reduction strategies.

eDiscovery is one of the most important and transformational legal developments in recent years. It has become a \$200-billion-a-year industry and a legal subspecialty in its own right. Littler is one of the first firms 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.

Paul is a nationally recognized thought leader in the area of electronic discovery. He has lectured and published extensively in the area of eDiscovery, including publishing several articles in the American Bar Association's Journal of Litigation. Paul's work has served to educate lawyers, judges and business people about the technical and legal issues governing electronic discovery. His work was cited by the landmark opinion of *Zubulake v. UBS Warburg LLC*, 220 F.R.D. 212, 220 n. 39 (S.D.N.Y. 2003) (Scheidlin, J.), and referenced in the Federal Judicial Center's database on significant cases and articles. Paul also serves on the Advisory Board for the Georgetown Law Advanced eDiscovery Institute, and has co-chaired the Institute's Conference Planning Committee for the past two years. He is an active member of the Sedona Working Group on Electronic Document Retention and Production (WG1) and the Sedona Working Group on International Electronic Information Management and Disclosure (WG6).

Prior to joining Littler, Paul was a litigation partner at an AM LAW 100 law firm, where he focused his practice on complex business litigation, including unfair competition, restrictive covenant and trade secret cases.

Paul has represented companies in both state and federal courts in Arizona, California, Delaware, Illinois, Pennsylvania, North Carolina, New Jersey, New York and Virginia. He has served as trial counsel in jury and non-jury trials as well as in large commercial arbitrations. Paul has also served as a Court-appointed eDiscovery Special Master for the United States District Court for the Eastern District of Pennsylvania, and is on the inaugural roster of eDiscovery Special Masters for the United States District Court for the Western District of Pennsylvania.

Outside of his law practice, Paul is an extremely active member in the community, the bar and pro bono organizations, serving as an officer and on the board of directors of several organizations.

Professional and Community Affiliations

- Member, Executive Committee, Temple American Inn of Court, 2005-present
 - President, 2011-2012
 - Vice President, 2010-2011
 - Treasurer, 2007-2010
 - Recorder, 2005-2007
- Member, Advisory Board, Georgetown Law Advanced eDiscovery Institute, 2008-present
- Co-Chair, Program Planning Committee, Georgetown Law Advanced eDiscovery Institute, 2010 and 2011
- Guest Lecturer, Trial Advocacy and Integrated Advocacy Programs, Temple University Beasley School of Law, 2008-present
- Member, Sedona Conference WG1 and WG6
- Member, Board of Directors, Breastcancer.org, 2011-present
- Pro bono legal counsel, Center City Opera Theater
- Member, Litigation Council of Civil Litigation Section, Pennsylvania Bar Association, 2001-2008
- Chair, Philadelphia Annual Regional Dinner, Pennsylvania Bar Association, 2004-2006

Recognition

- Named, America's Leading Lawyers for Business, Litigation eDiscovery - Nationwide, *Chambers USA*, 2012
- Named, Super Lawyer - Pennsylvania
 - Labor and Employment, 2010, 2011 and 2012
 - Commercial Litigation, 2005
- Named, Lawyers on the Fast Track - *Legal Intelligencer*, 2004
- Named, Rising Star - Pennsylvania, 2004

Education

J.D., Temple University James E. Beasley School of Law, 1994

B.A., Boston University, 1991

Bar Admissions

Pennsylvania
New Jersey

Courts

U.S. Court of Appeals, 3rd Circuit
U.S. District Court, Eastern District of Pennsylvania
U.S. District Court, Middle District of Pennsylvania
U.S. District Court, Western District of Pennsylvania
U.S. District Court, District of New Jersey

Publications & Press

February 21, 2013

The 2012 Global Employer: Highlights of Littler's Fifth Annual Global Employer Institute
Littler Report

January 29, 2013

A Litigator's Guide to Social Media Discovery in Civil Actions
The Legal Intelligencer

December 7, 2012

Impatient Judges Push Lawyers to Dive Into E-Discovery
Law Technology News

July 26, 2012

Second Circuit Makes Key Holdings Involving Proof Requirements in Individual Discrimination Cases and Litigation Hold Requirements
Littler ASAP

May 10, 2012

The "Bring Your Own Device" to Work Movement
Littler Report

April 30, 2012

Nod to Predictive Coding in 'Da Silva Moore' Stirs Caution, Excitement
Law Technology News

January 30, 2012

Cowen Group Survey Predicts Big Revenue Spike for Litigation Support
Law Technology News

January 30, 2012

True Grit: Four Models to Rein in E-Discovery Costs
Law Technology News

January 1, 2012

The challenges of collecting data outside the U.S.
InsideCounsel

January 1, 2012

Stiff Sanctions: Violating international data privacy laws can land companies and counsel in serious hot water
InsideCounsel

December 19, 2011

Electronic Discovery: A Special Report - Plaintiffs have their own duty to preserve
The National Law Journal

December 19, 2011

Plaintiffs Have Their Own Duty to Preserve
National Law Journal

October 2011

It's Time to Clarify via Amended Rules that Proportionality Must Apply to Preservation
A Legal Hold Pro™ Signature Paper

September 15, 2011

Digging Out of the E-Discovery Morass One Idea at a Time
The Legal Intelligencer

Summer 2011

Bridging the e-Discovery Gap Between Bench and Bar
NY Litigator Vol. 16, No. 1

February 2011

Pension Committee Revisited: A Retrospective of the Impact of Judge Scheindlin's Influential Opinion
Legal Hold Pro™ Signature Series White Paper

October 19, 2010

Who You Gonna Call
The American Lawyer

September 30, 2010

The Littler Ten: Employment, Labor and Benefit Law Trends for Navigating the New Decade
Littler Report

June 10, 2010

E-Discovery Best Practices: California Rule of Court Requires Advance Meeting and Planning
BNA Digital Discovery & E-Evidence Vol. 10, No. 9

January 11, 2010

eDiscovery: New California Rule of Court Requires Advance Meeting and Planning
Littler ASAP

November 20, 2009

Education of Lawyers, IT and 'Digital Packrats' Urged to Reduce E-Discovery Costs
The Society for Human Resource Management (SHRM)

July 29, 2009

Toward More Effective Search Terms for E-Discovery
Employment Law360

July 20, 2009

California Enacts New E-Discovery Rules that Mirror Federal Court E-Discovery Rules - with One Exception
Littler ASAP

July 1, 2009

Strategies for Managing E-Discovery in Smaller Cases
Employment Law360

October 14, 2008

Can E-Discovery Counsel Meet Client Needs?
The National Law Journal

Fall 2008

Qualcomm v. Broadcom: Morgan Stanley Redux?
ABA Section of Litigation, Employment & Labor Relations Law Newsletter Vol. 7, No. 1

August 6, 2008

E-Discovery Spurs Demand for Legal, IT Experts
Employment Law360

August 6, 2008

3 Ways to Prepare for E-Discovery
Employment Law360

November 2007

All e-Discovery, All the Time
The Philadelphia Business Journal

October 2007

Navigating the New E-Discovery Rules

The ABA Section of Litigation Tips from the Trenches Column

April 11, 2007

E-Discovery Roundtable (transcript)

The Legal Intelligencer American Lawyer Media

Spring 2007

US v. Stein: An Update

Civil Litigation Update Vol. 12, No. 1, Pennsylvania Bar Association

Winter 2007

Navigating the New E-Discovery Rules

Litigation Section of Litigation - American Bar Association, Vol. 33, No. 2

Spring 2006

Failing to Produce e-mails Could Cost Your Client ... One Billion Dollars! 10 Lessons Learned from an e-discovery Sanction

Monograph

Winter 2006

US v. Stein: A Crack in the Armor of the United States Department of Justice's Thompson Memorandum

Civil Litigation Update Vol. 11, No. 4, Pennsylvania Bar Association

July 2005

Drafting International Arbitration Clauses to Avoid Unnecessary Disputes and Confusion

ICFAI Journal of Alternative Dispute Resolution

May 2005

Tips for Protecting Your Litigation Interests in Biopharmaceutical Manufacturing Contracts

Contract Manufacturing for Biopharmaceuticals Conference

Spring 2005

The Class Action Fairness Act of 2005: An Overview

Civil Litigation Update Vol. 10, No. 2, Pennsylvania Bar Association

September 2004

Drafting International Arbitration Clauses to Avoid Unnecessary Disputes and Confusion

Mealey's International Arbitration Report Vol. 19, No. 9

April 2004

Pitfalls In Drafting Arbitration Clauses: Tips For Avoiding Costly Disputes

Atlantic Coast In-House Vol. 1, No. 3

Winter 2004

Swift Sanctions: An Analysis of Proposed New Rule of Civil Procedure 229.1
Civil Litigation Update Vol. 9, No. 1

November 17, 2003

Arbitration is Not Always Quick: In Complex Cases, Careful Thought is Needed Before Giving Up the Court Process
The National Law Journal

Fall 2003

Digital Dangers: A Primer on Electronic Evidence In The Wake of Enron
The ABA Journal of the Section of Litigation Vol. 30, No. 1

January 2003

Digital Dangers: A Primer on Electronic Evidence In The Wake of Enron
Pennsylvania Bar Association Quarterly

Fall 2002

Paying for Electronic Discovery: The Tables Are Beginning To Turn
Civil Litigation Update Vol. 7, No. 4, Pennsylvania Bar Association

September 30, 2002

Ten Ways to Contain the Cost of Electronic Discovery
Pennsylvania Law Weekly

Fall 2000

Advancing Litigation Expenses for Corporate Officers and Directors Accused of Wrongdoing
Outside Counsel

Speaking Engagements

February 22, 2013

Compliance and Liability Prevention Fundamentals: Employee Handbooks, Policies, Background Checks, Drug Testing and Data Protection
The Global Employer – Latin America Conference, Littler Mendelson, Miami, FL

December 7, 2012

Preparing to Depose an IT Custodian
9th Annual Georgetown Law CLE - Advanced E-Discovery Institute, Washington, DC

November 15, 2012

The 2012 e-Discovery Briefing
Huron Legal Institute, Philadelphia, PA

November 8, 2012

Sustainable Innovations for a Changing Global Workforce
Global Employer Institute, Littler Mendelson, Washington D.C.

September 27-28, 2012

Where Do We Go From Here
2012 Conference on Preservation Excellence, Portland, OR

September 27-28, 2012

When Preservation is a Real Challenge
2012 Conference on Preservation Excellence, Portland, OR

September 27-28, 2012

Recognizing the Triggering Event
2012 Conference on Preservation Excellence, Portland, OR

September 25, 2012

e-Discovery 2.0: Top Tips and Trends
Nevada Chapter - Association of Corporate Counsel, Las Vegas, NV

August 8, 2012

The New Amendments to the Pennsylvania Rules of Civil Procedure on e-Discovery (effective August 1, 2012) ... Are You Ready?
Pennsylvania Bar Institute Webinar

June 18, 2012

Making the Business Case for Information Governance
Nux Leadership Forum, Palm Beach, FL

May 11, 2012

e-Discovery Jeopardy
Pennsylvania Bar Institute, Philadelphia, PA

May 10, 2012

Ethical Minefields and e-Discovery – A Perfect Match
The 2012 Executive Employer® Conference, Littler Mendelson, Scottsdale, AZ

May 9, 2012

Addressing Retaliation and Whistleblowing
The 2012 Executive Employer® Conference, Littler Mendelson, Scottsdale, AZ

May 2, 2012

eDiscovery 2.0: Top 10 Tips and Trends
Littler Mendelson, Philadelphia, PA

April 27, 2012

Possession, Custody & Control in Today's Brave New World
2012 Mid-Year Meeting, Electronic Document Retention & Production Working Group - The Sedona Conference, Denver, CO

January 31, 2012

The Nuts and Bolts of Getting it Done, including the Emergence of "The Cloud" as a Repository, SaaS, Vendor Responsibilities and More
LegalTech, New York, NY

December 7, 2011

Social Media Roundtable
15th Annual Electronic Discovery and Records Retention Conference - Thompson Reuters, San Francisco, CA

December 1, 2011

Leadership Breakfast Series
Cowen Group

November 19, 2011

Future of the Rules/New Developments
8th Annual Georgetown Law Advanced E-Discovery Institute, Washington, DC

November 10, 2011

Social Media Roundtable
15th Annual Electronic Discovery and Records Retention Conference - Thompson Reuters, New York, NY

November 4, 2011

Risk Management (e-Discovery Department Leader Track)
Inaugural Georgetown Law e-Discovery Practice Support Program, Washington, DC

October 6, 2011

A Federal Rule on Preservation & Sanctions: Exploring the Alternatives
Annual Meeting - Sedona Conference Working Group on Electronic Document Retention & Production, Austin, TX

October 3, 2011

Preservation: Will this be the Next Change to the Federal Rules
Masters Conference for Legal Professionals, Washington, D.C.

September 23, 2011

Effective Cost and Risk Containment Steps to Achieve Proportionality
e-Discovery for the Corporate Market - Executive Counsel Institute, Houston, TX

September 22, 2011

Data Assessment from Beginning to End: Tools, Tricks and Traps
e-Discovery for the Corporate Market - Executive Counsel Institute, Houston, TX

September 7, 2011

Technology Issues in the Employment Context
Legal Technology Leadership Summit, Amelia Island, FL

August 31, 2011

e-Discovery in Employment Litigation
Pennsylvania Bar Institute, Philadelphia, PA

July 16-17, 2011

Resources and Tips for Staying Current
e-Discovery for the Corporate Market - Executive Counsel Institute, New York, NY

July 16-17, 2011

The Importance of Day-to-Day Processes, Management Skills, Swimming Upstream: Information Management and Governance
e-Discovery for the Corporate Market - Executive Counsel Institute, New York, NY

July 16-17, 2011

Dealing with Challenges of Legal Holds: Pension Committee, Rimkus, Pippins & Progeny
e-Discovery for the Corporate Market - Executive Counsel Institute, New York, NY

July 13, 2011

Data Assessment from Beginning to End: Tools, Tricks and Traps
e-Discovery for the Corporate Market - Executive Counsel Institute, New York, NY

July 12, 2011

Effective Cost and Risk Containment Steps to Achieve Proportionality
e-Discovery for the Corporate Market, Executive Counsel Institute, New York, NY

April 9, 2011

Ethical Challenges in the New World of eDiscovery
National Conference on Equal Employment Opportunity Law, Labor and Employment Law Section - American Bar Association, New Orleans, LA

April 7, 2011

The eDiscovery Forecast: Partly Cloudy with a New Technology Front, Large Accumulations of Data, and a Chance of Sanctions
Executive Employer Conference - Littler Mendelson, Phoenix, AZ

March 22, 2011

Pension Committee Revisited: Where Do We Go From Here?
A Legal Hold Pro™ Signature Webinar

March 8, 2011

Gestire il diluvio di dati: Stati Uniti e-Discovery nel 21° secolo (Managing the Data Deluge: U.S. e-Discovery in the 21st Century)
La Sapienza Università di Roma, Rome, Italy

March 7, 2011

e-Discovery Issues in Wage and Hour Litigation, Parts I - III
BNA Video Insights Series - BNA Labor and Employment Resource Center™

February 5, 2011

e-Discovery and Data Privacy
Emerging Trends in Cyber Privacy Symposium, Temple University Beasley School of Law

January 26, 2011

Bridging the e-Discovery Gap Between Bench and Bar
Annual Meeting, Commercial and Federal Litigation Section - New York State Bar Association, New York, NY

October/November/December 2010

The Client Speaks - Pressure Points Between In-House and Outside Counsel, A Candid Dialogue
14th Annual Electronic Discovery and Records Retention Conference - Thompson Reuters, New York / Chicago / San Francisco

October/November/December 2010

Litigation Holds 2010 - What Has Changed, What Has Stayed The Same?
14th Annual Electronic Discovery and Records Retention Conference - Thompson Reuters, New York / Chicago / San Francisco

December 9, 2010

Practical Answers to the Most Current and Common eDiscovery Questions
E-Discovery Series - Federal Bar Association, Western Pennsylvania Chapter, Pittsburgh, PA

October 4, 2010

e-Discovery Team Building: Do You Need National e-Discovery Counsel
Masters Conference, Washington, D.C.

July 13, 2010

Real ECA and Risk Analysis
e-Discovery for the Corporate Market - Executive Counsel Institute, New York, NY

July 12, 2010

Effective Cost and Risk Containment Steps

e-Discovery for the Corporate Market - Executive Counsel Institute, New York, NY

June 2, 2010

Zubulake Revisited: The Impact of the Pension Committee Decision on Data Preservation, Collection, Review and Production

Washington, D.C.

April 9, 2010

The Future of Employment Law Class Actions

Executive Employer® Conference, Phoenix, AZ

February 2, 2010

Achieving a Cost-Efficient, Defensible Document Review

LegalTech® XXIX, New York, NY

February 2, 2010

How Corporations Can Operate Most Effectively with Outside Counsel

LegalTech® XXIX, New York, NY

February 1, 2010

Data Retention Plans and Early Case Assessment Technology – Moving Towards a More Effective System In-House

LegalTech® XXIX, New York, NY

January 26, 2010

E-Discovery and EPLI: Overcoming the Challenges Associated with the Preservation and Production of Electronically Stored Information and Incorporating E-Discovery into EPLI Cases

15th Annual Conference on Employment Practices Liability Insurance - American Conference Institute, New York, NY

October/November/December 2009

Retrospective Analysis of Critical Cases and How to Manage Your Risk

13th Annual Electronic Discovery and Records Retention Conference - Thompson Reuters, New York / Chicago / San Francisco

October/November/December 2009

How Much Horsepower Do You Really Need? Proportionality Wins the Race

13th Annual Electronic Discovery and Records Retention Conference - Thompson Reuters, New York / Chicago / San Francisco

November 19, 2009

2010: A Sanctions Odyssey

7th Annual Advanced E-Discovery Institute with the Sedona Conference® - Georgetown Law School, Washington, DC

November 16, 2009

E-Discovery Roundtable
American Lawyer Media

November 12, 2009

Controlling E-Discovery Costs in Smaller Stakes Litigation
6th Annual Advanced E-Discovery Institute with the Sedona Conference® - Georgetown Law School, Washington, DC

October 13, 2009

E-Discovery in Employment Litigation: Best Practices to Avoid Sanctions and Penalties
Strafford Publications National Teleconference

July 28, 2009

Managing the Data Deluge: E-Discovery Issues in Labor Class Actions
Law Seminars International Employment Class Actions Conference, San Francisco, CA

June 24, 2009

Digital Dangers: Recent Developments and Trends
The Boston Employer Conference, Dedham, MA

June 18, 2009

e-Discovery and Privacy: How Domestic and Global Employers Can Manage the Ultimate 'Catch 22,'
IAPP Practical Privacy Series, Santa Clara, CA

May 15, 2009

Preventing Your Intellectual Property from RIFfing out the Door
DELVACCA, Philadelphia, PA

April 24, 2009

Cost Containment in the New, Billion Dollar World of e-Discovery
The 2009 Executive Employer Conference® - Littler Mendelson, Phoenix, AZ

February 20, 2009

Littler Mendelson's Portland Open House
Littler Mendelson, Portland, OR

February 18, 2009

E-Discovery in Employment Litigation: Best Practices to Avoid Sanctions and Penalties
Strafford Publications National Teleconference

January 23, 2009

Ethical Challenges in the New World of eDiscovery
Client Presentation, Palo Alto, CA

October and December 2008

Identifying and Working with Special Masters, Neutral Experts and Expert Witnesses

12th Annual Electronic Discovery and Records Retention Conference - West Legalworks, New York and San Francisco

November 19, 2008

E-Discovery From the Corporate Side: Challenges and Solutions

Advanced E-Discovery Institute - Georgetown Law, Arlington, VA

October 30, 2008

Digital Dangers: Recent Developments and Trends

The Ohio Employer Conference, Cleveland, OH

October 25, 2008

Cross-Border Data Transfer: An International 'Catch 22'

Global Employer Institute Conference®, Washington, D.C.

October 14, 2008

Digital Dangers: Recent Developments and Trends

2008 Fluor LawCon®, San Diego, CA

October 2, 2008

Digital Dangers: Recent E-Discovery Developments and Trends

Littler Mendelson, San Jose, CA

July 29, 2008

E-Discovery in Employment Litigation: Best Practices to Avoid Sanctions and Penalties

Strafford Publications National Teleconference

May 21, 2008

Digital Dangers: Recent E-Discovery Developments and Trends

Littler Mendelson, St. Louis, MO

May 14, 2008

Digital Dangers: Recent Developments and Trends

Littler Mendelson, Las Vegas, NV

April 18, 2008

Complying with Your E-Discovery Requests: Tips to Make Your Life Easier

Fourteenth Annual Employment Law Institute - Pennsylvania Bar Institute, Philadelphia, PA

April 11, 2008

Digital Discovery Dangers: The e-trail from the Boardroom to the Courtroom

The 2008 Executive Employer Conference® - Littler Mendelson, Phoenix, AZ

April 10, 2008

EEOC Class Actions - A Developing Trend

The 2008 Executive Employer Conference® - Littler Mendelson, Phoenix, AZ

March 28, 2008

Current Trends in U.S. and European E-Discovery

2008 Privacy Summit - International Association of Privacy Professionals, Washington D.C.

March 6, 2008

The E-Discovery Battleground

Littler Mendelson, Laguna Beach, CA

February 26, 2008

Views From The Top - eDiscovery

CIO Forum at the Healthcare Information and Management Systems Society (HIMSS) Annual Conference, Orlando, FL

February 6, 2008

Emerging Technology Trends - Advanced Analytics and Linguistic Technologies

LegalTech '08, New York, NY

January 31, 2008

E-Discovery in Employment Litigation: Best Practices to Avoid Sanctions and Penalties

Strafford Publications National Teleconference

December 13-14, 2007

Processing: Identifying Variables, Assessing Options

11th Annual Electronic Discovery and Records Retention Conference - West Legalworks, San Francisco, CA

October 18, 2007

Top Ten Steps To Enforcing A Restrictive Covenant

Thirteenth Annual Business Lawyers' Institute - Pennsylvania Bar Institute, Philadelphia, PA

October 5, 2007

Electronic Discovery Changes - Federal & State Practice for the Criminal & Civil Attorney

2007 Bucks County Bench Bar Conference, Baltimore, MD

September 28, 2007

Gunfight at the OK Corral - Dispute Resolution Clauses in Agreements: Drafting Tips and Practical Considerations

2007 Bench-Bar Conference - Philadelphia Bar Association, Atlantic City, NJ

November 2006

Lessons Learned From an E-Discovery Sanction, With a Look Forward to the New Federal Rules of E-Discovery

Twelfth Annual Business Lawyers' Institute - Pennsylvania Bar Institute

November 2006

An Overview of the New Electronic Discovery Amendments to the Federal Rules of Civil Procedure, Lecturer
The Philadelphia Federal Courts Committee, Philadelphia, PA

October 2006

Thurgood Marshall Scholarship Fund Leadership Institute
Litigation and Intellectual Property, New York, NY

January 19, 2006

Guarding the Crown Jewels: A Litigation Perspective
DELVACCA Information Security, Trade Secrets and Intellectual Property Symposium, Conshohocken, PA

October 2005

Thurgood Marshall Scholarship Fund Leadership Institute
Litigation and Intellectual Property, New York, NY

April 2004

The Andersen Case, Lessons of the Fall
Civil Litigation Section Retreat - Pennsylvania Bar Association, Gettysburg, PA

May 2003

The New Sarbanes-Oxley Act of 2002
Annual Ethics Program, DELVACCA Chapter - Association of Corporate Counsel, Philadelphia, PA

April 2003

Ethics Potpourri
Pennsylvania Bar Institute - Philadelphia, PA

October 2002

The New Sarbanes-Oxley Act of 2002
Annual Ethics Program, DELVACCA Chapter - Association of Corporate Counsel, Conshohocken, PA

October 2002

The Andersen Case, Lessons of the Fall
Eighth Annual Business Lawyers' Institute - Pennsylvania Bar Institute, Philadelphia, PA