



## Paul D. Weiner

National eDiscovery Counsel  
Shareholder

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## Focus Areas

eDiscovery

## Overview

Paul D. Weiner is a shareholder and serves as the firm's National eDiscovery Counsel.

eDiscovery is one of the most important and transformational legal developments in the digital age, impacting every aspect of evidence in litigation and information management globally. The field has developed into a \$200 billion industry, and continues to grow as data volumes expand at an unprecedented pace, businesses run their operations and individuals live their lives via digital platforms, new sources of technology emerge almost daily, and court rules and legal standards are amended to keep pace.

Industry-leading efforts from Littler, the world's largest employment and labor law practice representing management, are driven by Paul, a nationally recognized leader in the field.

Littler's long-held dedication to innovation is exemplified in eDiscovery as the firm was one of the first in the United States to hire attorneys at the shareholder level dedicated exclusively to eDiscovery worldwide. Paul oversees a team comprising eDiscovery lawyers, litigation support project managers, developers, data analysts, and database administrators who provide targeted advice, strategy and hands-on litigation assistance to Littler case teams and clients. He also built and manages the Littler National Data Center that handles electronic evidence processing and hosting activities, using best-of-breed technologies and quality assurance workflows.

Paul marries technology skills, litigation experience, and deep subject matter knowledge to provide focused guidance on eDiscovery matters. His involvement ranges from providing case and client-specific advice about meeting preservation

obligations, to addressing initial "meet and confer" obligations, to handling court appearances that address eDiscovery matters, to taking and defending depositions of IT personnel and experts, to developing strategies for efficient and effective data harvesting, protection, review and production, to implementing cost-shifting and reduction strategies, with a particular emphasis on high-exposure Rule 23 class and FLSA § 216(b) collective actions.

Paul has lectured and published extensively on eDiscovery, and his work has educated lawyers, judges and business people about the field. His work was cited in the landmark opinion of *Zubulake v. UBS Warburg LLC*, credited for facilitating the dramatic growth of the field of eDiscovery.

Paul is also well known for bringing cutting-edge solutions to both the technical and legal aspects of eDiscovery. One key trend, which he has helped lead through litigating cases and his scholarship, pertains to the growing availability of personal information through social media, mobile devices and other avenues – a development that has leveled the playing field between companies and individuals in what were previously viewed as “asymmetrical” discovery matters. No longer is most or all pertinent information in a case possessed by large employers, and Paul has worked to teach “eDiscovery is a two-way street,” including in a chapter he authored addressing those issues in the *Federal Judges’ Guide to Discovery*, published by the non-profit Electronic Discovery Institute®.

Paul is also the executive editor of a commentary by The Sedona Conference® designed to help resolve a disparity among circuits and bring a uniform, national standard to the issue of “possession, custody, or control” under discovery rules. The Sedona Conference is a non-profit research and educational institute dedicated to the advanced study of law and policy in the areas of antitrust law, complex litigation, and intellectual property rights; Paul serves on the Working Group Series Leadership Council of Sedona, and is a former member of the Steering Committee of Working Group 1, having served multiple terms in this position. The Commentary and its Principles provide practical, uniform, and defensible guidelines regarding when a litigant should be deemed to have “possession, custody, or control” of information subject to discovery. The guidelines also cover how new technologies, the proliferation of ESI, and increasingly complex business relationships aimed at the creation, use, transfer and storage of information, impact that analysis.

Paul also co-chairs the Advisory Board for the Georgetown Law Advanced eDiscovery Institute®. Georgetown’s annual conference is universally recognized as the premier eDiscovery event of the year, featuring thought leaders from U.S. government agencies, Fortune 500 corporations, high-profile plaintiffs’ law firms, Am Law 100 firms, international data privacy regulators and legal technologists. The Georgetown conference also consistently features more state and federal judges steeped in eDiscovery than at any other eDiscovery program in the country.

Based upon his innovative approaches to complex issues, Paul has been appointed as an eDiscovery Special Master for the U. S. District Court for the Eastern District of Pennsylvania, as a Discovery Master for the Court of Common Pleas First Judicial District of Pennsylvania, and is on the inaugural roster of eDiscovery Special Masters for the U. S. District Court for the Western District of Pennsylvania.

Paul is one of a select group of lawyers in the world ranked for eDiscovery by *Chambers USA: America's Leading Lawyers*<sup>®</sup> (1 of 7 in the USA in Band 1), *Chambers & Partners Global*<sup>®</sup>, and *Who's Who Legal*<sup>®</sup>: *Litigation* (*Who's Who* also ranked Littler as one of only two "Leading Law Firms" in the world in eDiscovery). He was also one of only 120 witnesses who testified before the Federal Rules Committee in support of the new Federal Rules of Civil Procedure addressing eDiscovery preservation and sanctions that became effective December 1, 2015.

Besides his deep substantive knowledge in the constantly evolving field of eDiscovery, Paul has practical, hands-on experience that comes from litigating scores of cases in today's digital age. 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 and served as trial counsel in jury and non-jury trials, and large commercial arbitrations. His trial and complex arbitration experience enables him to bring a practical and cost-effective perspective to what can otherwise appear to be esoteric eDiscovery issues that can hijack a case, and to never lose sight that the goal of all discovery, including eDiscovery, is to win the case.

Paul also serves as Chair of the Firm's Innovation Council, which is tasked with reengineering the traditional practice of law to bring to clients cost-effective and forward-thinking solutions that employ leading-edge technology, project management skills and alternative pricing strategies. Littler's Innovation Council led efforts to build Littler's Data Ecosystem that provides attorneys and clients with actionable insights at every stage of the legal process, and which was awarded top ranking for innovation in "Technology and Data" in the "Business of Law" Category of *Financial Times* 2019 North America Innovative Lawyers report. Paul was also part of the team that spearheaded the development and rollout of the firm's award-winning Littler Pay Equity Assessment<sup>™</sup>. He also serves as the co-moderator of the General Session of Littler's Annual Executive Employer<sup>®</sup> Conference.

Outside of his law practice, Paul is active in the community, the bar and pro bono organizations, including having served as the President and long-time Executive Committee Member of The Temple American Inn of Court.

## Professional and Community Affiliations

- Fellow (Top 1% of lawyers admitted to practice in the U.S.), American Bar Foundation, 2016-present
- Member, Board of Directors, Temple American Inn of Court, 2005-present (additional roles include Ambassador to the International Inns of Court 2017–2018; Counselor to the President 2013-2016; President 2011-2012; Vice President 2010-2011; Treasurer 2007-2010; Recorder 2005-2007)
- Co-Chair, Advisory Board, Georgetown Law Advanced eDiscovery Institute<sup>®</sup>, 2013-present (additional roles include Member, Advisory Board 2009-present; Planning Committee Co-Chair - various years)
- Member, Steering Committee, Working Group on Electronic Document Retention and Production (WG1), The Sedona Conference<sup>®</sup>, 2013-2017 (multiple terms)
- Member, Working Group Series Leadership Council, The Sedona Conference<sup>®</sup>, 2018-present
- Member, Editorial Board, The Federal Judges' Guide to Discovery (Edition 2.0), The Electronic Discovery Institute
- Member, Board of Directors, Breastcancer.org, 2012-2016

- Guest Lecturer, Trial Advocacy and Integrated Advocacy Programs, Temple University Beasley School of Law, 2008-present

## Recognition

- Named, The Best Lawyers in America©, 2021-2022
- Named, America's Leading Lawyers for Business, Litigation: eDiscovery - Nationwide (Band 1), *Chambers USA*, 2012-2020
- Named, World's Leading Business Lawyers for Business, Litigation: eDiscovery, *Chambers Global*, 2014-2019
- Named, Litigation: eDiscovery, *Who's Who Legal*, 2015 (Creation of inaugural category) - 2020
- Named, Thought Leader - Litigation - eDiscovery, *Who's Who Legal*, 2019-2021
- Named, Super Lawyer® - Labor and Employment, Pennsylvania, *Super Lawyers*, 2010-2013
- Named, Super Lawyer® - Commercial Litigation, Pennsylvania, *Super Lawyers*, 2005
- Named, Lawyers on the Fast Track®, *Legal Intelligencer*, 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

### **Best Lawyers in America© 2022 Edition Honors More Than 240 Littler Lawyers**

*Littler Press Release*

August 19, 2021

### **The Case for Requiring Data Security Provisions in Protective Orders**

*New York Law Journal*

July 29, 2021

**Littler Ranked in Chambers USA Guide 2021**

*Littler Press Release*

May 27, 2021

**Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Littler Press Release*

August 20, 2020

**As Bankruptcies Grow, E-Discovery Counsels' Work May Become More Challenging**

*LegaltechNews*

May 27, 2020

**"Transparency," "Discovery-on-Discovery" Type Disclosures, and Party-Opponent Validation in eDiscovery**

*Labor Law Journal Wolters Kluwer*

September 1, 2019

**Littler Ranked in 2019 Chambers USA Guide**

*Littler Press Release*

April 25, 2019

**The Latest Legal News, Research and Legal Profiles**

*Who's Who Legal*

October 1, 2018

**A Framework for Mutual Compliance with Amended Rule 34**

*ABA Journal*

May 29, 2018

**Littler Ranked in 2018 Chambers USA Guide**

*Littler Press Release*

May 15, 2018

**The Latest Legal News, Research and Legal Profiles**

*Who's Who Legal*

October 1, 2017

**Littler Attorneys Named in 2017 Who's Who Legal Guide**

*Littler Press Release*

September 28, 2017

**Littler and Its Attorneys Receive Top Rankings in 2017 Chambers USA Guide**

*Littler Press Release*

May 26, 2017

**Commentary on Rule 34 and Rule 45 Possession, Custody, or Control**

*The Sedona Conference®*

August 2016

**Securing Protected Data in U.S. Legal Proceedings: Protective Orders**

*The Sedona Conference® International Programme on Cross-Border Discovery & Data Protection Laws*

June 2016

**Chambers USA Recognizes Littler and Attorneys in 2016 Guide**

*Littler Press Release*

May 27, 2016

**In Employment Cases, eDiscovery is a Two-Way Street**

*The Federal Judges' Guide to Discovery (Edition 2.0)*

December 2015

**How to Mitigate Risk When Handing Data to Outside Law Firms**

*Bloomberg BNA*

November 17, 2015

**Balance in All Things: The Path to Preservation Excellence**

*Legaltech News*

November 5, 2015

**Tips From the Experts: 8 Points on Perfecting Preservation**

*Legaltech News*

September 10, 2015

**The Big Move Toward Big Data in Employment**

*Littler Report*

August 4, 2015

**Chambers USA Recognizes Littler and Its Attorneys**

*Littler Press Release*

May 20, 2015

**Commentary on Rule 34 and Rule 45 Possession, Custody, or Control (Public Comment Version)**

*The Sedona Conference*<sup>®</sup>

April 15, 2015

**Amended Rules of Civil Procedure Address eDiscovery Preservation and Sanctions, Among Other Areas**

*Corporate Law & Accountability Report, Bloomberg BNA*

January 14, 2015

**Amended Rules of Civil Procedure Address eDiscovery Preservation and Sanctions, Among Other Areas**

*Inside Counsel Magazine*

November 14, 2014

**5 Critical Things to Consider When Implementing an eDiscovery Strategy: a collection of discovery best practices from industry leaders**

*InsideCounsel*

November 12, 2014

**Analysis paralysis**

*InsideCounsel*

October 1, 2014

**Littler and Its Attorneys Ranked In 2014 Chambers USA Guide**

*Littler Press Release*

May 23, 2014

**The Transformation of the Workplace Through Robotics, Artificial Intelligence, and Automation**

*Littler Report*

February 13, 2014

**An Opportunity to Give Back**

*The Bencher*

September/October 2013

**Littler Mendelson Named in the 2013 Chambers USA Guide**

*Littler Press Release*

May 24, 2013

**Anatomy of an Employment Class Action**

*The Sedona Conference*<sup>®</sup> 7th Annual Getting Ahead of the Curve Program

March 21, 2013

**EEOC Sanctioned for Failing to Produce Class Claimants' Social Media ESI and Other eDiscovery Misconduct**

*Littler Insight*

March 18, 2013

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

*Littler Report*

February 21, 2013

**A Litigator's Guide to Social Media Discovery in Civil Actions**

*The Legal Intelligencer*

January 29, 2013

**Impatient Judges Push Lawyers to Dive Into eDiscovery**

*Law Technology News*

December 7, 2012

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

*Littler Insight*

July 26, 2012

**The "Bring Your Own Device" to Work Movement**

*Littler Report*

May 10, 2012

**Nod to Predictive Coding in 'Da Silva Moore' Stirs Caution, Excitement**

*Law Technology News*

April 30, 2012

**True Grit: Four Models to Rein in eDiscovery Costs**

*Law Technology News*

January 30, 2012

**Survey Predicts Big Revenue Spike for Litigation Support**

*LawTechnologyNews.com*

January 30, 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*

January 1, 2012

**Electronic Discovery: A Special Report - Plaintiffs have their own duty to preserve**

*The National Law Journal*

December 19, 2011

**It's Time to Clarify via Amended Rules that Proportionality Must Apply to Preservation**

*A Legal Hold Pro™ Signature Paper*

October 2011

**Digging Out of the eDiscovery Morass One Idea at a Time**

*The Legal Intelligencer*

September 15, 2011

**Bridging the eDiscovery Gap Between Bench and Bar**

*NY Litigator*

Summer 2011

**Pension Committee Revisited: A Retrospective of the Impact of Judge Scheindlin's Influential Opinion**

*A Legal Hold Pro™ Signature Paper*

February 2011

**Who You Gonna Call**

*The American Lawyer*

October 19, 2010

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

*Littler Report*

September 30, 2010

**eDiscovery Best Practices: California Rule of Court Requires Advance Meeting and Planning**

*BNA Digital Discovery & E-Evidence*

June 10, 2010

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

*Littler Insight*

January 11, 2010

**Education of Lawyers, IT and 'Digital Packrats' Urged to Reduce eDiscovery Costs**

*The Society for Human Resource Management (SHRM)*

November 20, 2009

**Toward More Effective Search Terms for eDiscovery**

*Employment Law360*

July 29, 2009

**California Enacts New eDiscovery Rules that Mirror Federal Court eDiscovery Rules - with One Exception**

*Littler Insight*

July 20, 2009

**Strategies for Managing eDiscovery in Smaller Cases**

*Employment Law360*

July 1, 2009

**Can eDiscovery Counsel Meet Client Needs?**

*The National Law Journal*

October 14, 2008

**Qualcomm v. Broadcom: Morgan Stanley Redux?**

*Employment & Labor Relations Law Newsletter*

Fall 2008

**Law Firm Unveils In-House eDiscovery Services**

*Employment Law360*

August 14, 2008

**3 Ways to Prepare for eDiscovery**

*Employment Law360*

August 6, 2008

**eDiscovery Spurs Demand for Legal, IT Experts**

*Employment Law360*

August 6, 2008

**All eDiscovery, All the Time**

*The Philadelphia Business Journal*

November 2007

**Navigating the New eDiscovery Rules**

*ABA Section of Litigation, Tips from the Trenches Column*

October 2007

**eDiscovery Roundtable (transcript)**

*The Legal Intelligencer*

April 11, 2007

**US v. Stein: An Update**

*Civil Litigation Update*

Spring 2007

**Navigating the New eDiscovery Rules**

*Litigation Journal*

Winter 2007

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

*Monograph*

Spring 2006

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

*Civil Litigation Update*

Winter 2006

**Drafting International Arbitration Clauses to Avoid Unnecessary Disputes and Confusion**

*Journal of Alternative Dispute Resolution - ICFAI*

July 2005

**Tips for Protecting Your Litigation Interests in Biopharmaceutical Manufacturing Contracts**

*Contract Manufacturing for Biopharmaceuticals Conference*

May 2005

**The Class Action Fairness Act of 2005: An Overview**

*Civil Litigation Update*

Spring 2005

**Drafting International Arbitration Clauses to Avoid Unnecessary Disputes and Confusion**

*Mealey's International Arbitration Report*

September 2004

**Pitfalls In Drafting Arbitration Clauses: Tips For Avoiding Costly Disputes**

*Atlantic Coast In-House*

April 2004

**Swift Sanctions: An Analysis of Proposed New Rule of Civil Procedure 229.1**

*Civil Litigation Update*

Winter 2004

**Arbitration is Not Always Quick: In Complex Cases, Careful Thought is Needed Before Giving Up the Court Process**

*The National Law Journal*

November 17, 2003

**Digital Dangers: A Primer on Electronic Evidence In The Wake of Enron**

*Litigation Journal*

Fall 2003

**Digital Dangers: A Primer on Electronic Evidence In The Wake of Enron**

*Pennsylvania Bar Association Quarterly*

January 2003

**Paying for Electronic Discovery: The Tables Are Beginning To Turn**

*Civil Litigation Update*

Fall 2002

**Ten Ways to Contain the Cost of Electronic Discovery**

*Pennsylvania Law Weekly*

September 30, 2002

**Advancing Litigation Expenses for Corporate Officers and Directors Accused of Wrongdoing**

*Outside Counsel*

Fall 2000

**Speaking Engagements**

**Panelist, Picking Up the Slack, Demystifying Modern Collections**

PREX 2021, Virtual

September 28, 2021

**Faculty Member, The Sedona Conference eDiscovery Negotiation Training – Practical Cooperative Strategies**

Virtual

February 9–11, 2021

**Panelist, Should We Build a Better Mousetrap?**

The Sedona Conference® Working Group 1, Electronic Document Retention and Production, Annual Meeting, St. Louis, MO

October 24, 2019

**Moderator, Possession, Custody & Control: Employee Personal Data, Communications Channels, & Devices**

The 5th Annual Judicial Training Symposium (a joint educational initiative of The Electronic Discovery Institute and The Federal Judicial Center), Lake Tahoe, NV

October 16, 2019

**Moderator, It's a Mobile World**

PREX 2019: Actionable Strategies for In-House eDiscovery, Chicago, IL

September 18, 2019

**Colloquium Co-Lead Moderator, The Exchange**

Today's General Counsel eDiscovery Institute for the Corporate Market, New York, NY

July 16 - 17, 2019

**Co-Moderator, General Session, Fueled by Ingenuity, Inspired by You: Your Challenges, Our Solutions**

The 2019 Executive Employer® Conference (36th year), Phoenix, AZ

May 9, 2019

**Guest Lecturer, eDiscovery: Digital Dangers in the 21st Century**

LL.M. in Trial Advocacy, Temple University Beasley School of Law, Philadelphia, PA

January 3, 2019

**Debater (Responding Parties), The Great Debate: In re Broiler Chicken, Order of Special Master Regarding ESI Search Methodologies**

15th Annual Georgetown Law Advanced eDiscovery Institute, Washington, D.C.

November 15, 2018

**Guest Lecturer, How the Legal Industry is Creating New Career Paths: New Technologies, Methods, Outcomes, and Opportunities for Graduates in Law, Business and Tech**

Cornell Tech – LAW 6304: Delivering Legal Services Through Technology, New York, NY

October 29, 2018

**Moderator, Evolving Challenges: Communications in the Cloud**

The Sedona Conference® Working Group 1, Electronic Document Retention and Production, Annual Meeting, Los Angeles, CA

October 26, 2018

**Co-Chair, The Great Debates Continue, TED-Talk Style: Jury Trials in Civil Cases, Unique Issues in Terrorism Trials, and Threats to Judicial Independence - The UK and the U.S. Perspective**

Joint Inn of Court Program presented by Temple Inn of Court and Gray's Inn, London, Philadelphia, PA

October 18, 2018

**Colloquium Co-Lead Moderator**

Today's General Counsel eDiscovery Institute for the Corporate Market, New York, NY

July 17 - 18, 2018

**Gigabytes of GPS and Terabytes of Texts: eDiscovery for the Digital Workplace**

Nevada Association of Corporate Counsel, Las Vegas, NV

May 23, 2018

**Co-Moderator, Navigating the Ever-Evolving Times: Practical Solutions for Long-Term Workplace Sustainability**

The 2018 Executive Employer® Conference, Phoenix, AZ

May 3, 2018

**Moderator, Judicial Roundtable**

14th Annual Georgetown Law Advanced eDiscovery Institute, Washington, D.C.

November 17, 2017

**Moderator, Judicial Roundtable**

The Sedona Conference® Working Group 1, Electronic Document Retention and Production, Annual Meeting (15th Anniversary), Phoenix, AZ

November 3, 2017

**Panelist, Early Case Management to Promote Efficiency and Cut Costs**

The Electronic Discovery Institute's 3rd Annual Judicial Training Symposium, Marana, AZ

October 10, 2017

**Panelist, Evaluating Correctness and Reliability of TAR**

Duke Law Conference on Technology Assisted Review ("TAR") Best Practices, Arlington, VA

September 7, 2017

**Colloquium Co-Lead Moderator**

Today's General Counsel eDiscovery Institute for the Corporate Market, New York, NY

July 18 - 19, 2017

**Panelist, How Would You Rule? The Effects of the December 2015 Amendments to the Federal Rules of Civil Procedure**

Day 2 Keynote Panel, Legalweek 2017, New York, NY

February 1, 2017

**Moderator, Possession, Custody and Control Across Federal Circuits**

13th Annual Georgetown Law Advanced eDiscovery Institute, Washington, D.C.  
November 10, 2016

**One Year Later: Developments in Production Under Rule 34 and State Law Equivalents**

Dialogue Leader, The Sedona Conference Working Group 1 Yearly Meeting, Atlanta, GA  
October 27, 2016

**Moderator, eDiscovery in Employment Cases**

2016 Electronic Discovery Institute Leadership Summit, Ft. Lauderdale, FL  
October 14, 2016

**Panelist, Technology 2020 and Case Study on “Possession, Custody, or Control”**

3rd Annual Innovations in eDiscovery, New York, NY  
September 28, 2016

**Faculty Member, eDiscovery Challenges in Specific Practice Areas: Employment**

The Electronic Discovery Institute Distance Learning Initiative, Curated Web Training and Certification Curriculum  
September 2016

**Colloquium Co-Lead Moderator, Today’s General Counsel eDiscovery Institute for the Corporate Market**

New York, NY  
July 18 - 19, 2016

**eDiscovery 2.0: Navigating the New eDiscovery Federal Rules of Civil Procedure**

State Bar of Nevada, Labor & Employment Law Section, Lloyd George Federal Courthouse, Las Vegas, simulcast to Bruce Thompson Federal Courthouse, Reno  
June 18, 2016

**Co-Moderator, The Ever-Evolving Workplace: Practical Strategies for Addressing Future and Current Employment Law Challenges**

The 2016 Executive Employer® Conference, Phoenix, AZ  
May 5, 2016

**Faculty Member, Federal Rule of Evidence 502**

The Electronic Discovery Institute Distance Learning Initiative, Curated Web Training and Certification Curriculum  
March 2016

**Panelist, Navigating the New Rules**

Innovations in eDiscovery Conference, New York, NY  
December 9, 2015

**Panelist, eDiscovery 2020**

12th Annual Georgetown Law Advanced eDiscovery Institute, Washington, D.C.  
November 19, 2015

**Panelist, Preservation and the Evolving IT Landscape**

The 4th Annual Conference on Preservation Excellence, Portland, OR  
September 18, 2015

**Moderator, The Essential Preservation Plan**

The 4th Annual Conference on Preservation Excellence, Portland, OR  
September 17, 2015

**Presenter, eDiscovery 2.0**

2015 Houston Employer Conference, Houston, TX  
August 13, 2015

**Colloquium Co-Lead Moderator, eDiscovery Institute for the Corporate Market**

Today's General Counsel, New York, NY  
July 20-21, 2015

**The Road to Workplace 2020: Lessons from the Past, Current Developments and Future Trends**

The 2015 Executive Employer® Conference, Phoenix, AZ  
May 7, 2015

**Digital Dangers: eDiscovery in the 21st Century**

Commercial Litigation Institute - Pennsylvania Bar Institute, Philadelphia, PA  
March 18, 2015

**Ethical Issues for In-House Counsel, Littler Briefing**

Philadelphia, PA  
October 8, 2014

**Colloquium Co-Lead Moderator, eDiscovery Institute for the Corporate Market**

Today's General Counsel, New York, NY  
July 16-17, 2014

**Right-Sizing Your Process: eDiscovery on a Limited Budget**

eDiscovery Series - The Federal Bar Association, Western Pennsylvania Chapter, Pittsburgh, PA  
May 29, 2014



**Dealing with Difficult Data: a Look at Preserving and Producing Increasingly Common but Challenging Data Sources**

8th Annual National Institute on eDiscovery, Center for Professional Development and the Section of Litigation -  
American Bar Association, New York, NY

May 16, 2014

**Ethical Issues for In House Counsel**

The 2014 Executive Employer® Conference, Phoenix, AZ

May 9, 2014

**Employee Privacy in the Age of Big Brother Technology**

The 2014 Executive Employer® Conference, Phoenix, AZ

May 8, 2014

**The Snowden Effect**

The Sedona Conference® Program on Cross-Border Discovery, San Francisco, CA

April 9, 2014

**Possession, Custody and Control in Cross-Border Discovery**

The Sedona Conference® Program on Cross-Border Discovery, San Francisco, CA

April 9, 2014

**21st Century Challenges to the Open Court Principle in the U.S. and the UK**

Temple American Inn of Court and The Bar Council, London, England

April 2, 2014

**Social Media for Litigators: Admissibility, Preservation and the Latest Judicial Developments**

American Law Institute, Philadelphia, PA

December 5, 2013

**Right-Sizing Your Process: eDiscovery on a Limited Budget**

10th Annual Georgetown Law Advanced eDiscovery Institute, Washington DC

November 21, 2013

**eDiscovery Jeopardy**

Pennsylvania Bar Institute, Philadelphia, PA

November 11, 2013

**BYOD, Social Media and Privilege**

eDiscovery Advocacy Institute, New York, NY

October 1, 2013

**Colloquium Co-Lead Moderator, eDiscovery Institute for the Corporate Market**

Today's General Counsel, New York, NY  
July 17-18, 2013

**Managing Privacy, Mitigating Risks: Social Media, BYOD, Cloud Computing**

2013 Conference - eDiscovery Intelligence, Pittsburgh, PA  
May 21-22, 2013

**Friendly Fire at the Bar: A Debate on Predictive Coding Debate**

2013 Conference - eDiscovery Intelligence, Pittsburgh, PA  
May 21-22, 2013

**Preserving Wild Data/Emerging Data Sources**

New York Conference on Preservation Excellence, New York, NY  
April 30, 2013

**Fostering a Culture of Compliance**

New York Conference on Preservation Excellence, New York, NY  
April 30, 2013

**Case Law Update**

New York Conference on Preservation Excellence, New York, NY  
April 30, 2013

**Possession, Custody & Control**

2013 Mid-Year Meeting, Working Group on Electronic Document Retention & Production - The Sedona Conference®, St. Louis, MO  
April 26, 2013

**Compliance and Liability Prevention Fundamentals: Employee Handbooks, Policies, Background Checks, Drug Testing and Data Protection**

The Global Employer® – Latin America Conference, Miami, FL  
February 22, 2013

**Preparing to Depose an IT Custodian**

9th Annual Georgetown Law Advanced eDiscovery Institute, Washington, DC  
December 7, 2012

**The 2012 eDiscovery Briefing**

Huron Legal Institute, Philadelphia, PA  
November 15, 2012

**Sustainable Innovations for a Changing Global Workforce**

Global Employer® Institute, Washington D.C.

November 8, 2012

**Where Do We Go From Here**

2012 Conference on Preservation Excellence, Portland, OR

September 27-28, 2012

**Recognizing the Triggering Event**

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

**eDiscovery 2.0: Top Tips and Trends**

Association of Corporate Counsel, Nevada Chapter, Las Vegas, NV

September 25, 2012

**The New Amendments to the Pennsylvania Rules of Civil Procedure on eDiscovery (effective August 1, 2012) ... Are You Ready?**

Pennsylvania Bar Institute Webinar

August 8, 2012

**Resources and Tips for Staying Current**

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

July 17, 2012

**The Importance of Day-to-Day Processes, Management Skills, Swimming Upstream: Information Management and Governance**

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

July 16, 2012

**Dealing with Challenges of Legal Holds: Pension Committee, Rimkus, Pippins & Progeny**

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

July 16, 2012

**Making the Business Case for Information Governance**

Nuix Leadership Forum, Palm Beach, FL

June 18, 2012

**eDiscovery Jeopardy**

Pennsylvania Bar Institute, Philadelphia, PA  
May 11, 2012

**Ethical Minefields and eDiscovery – A Perfect Match**

The 2012 Executive Employer® Conference, Scottsdale, AZ  
May 10, 2012

**Addressing Retaliation and Whistleblowing**

The 2012 Executive Employer® Conference, Scottsdale, AZ  
May 9, 2012

**eDiscovery 2.0: Top 10 Tips and Trends, Littler Briefing**

Philadelphia, PA  
May 2, 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  
April 27, 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  
January 31, 2012

**Social Media Roundtable**

15th Annual Electronic Discovery and Records Retention Conference - Thompson Reuters, San Francisco, CA  
December 7, 2011

**eDiscovery Leadership Breakfast Series**

Cowen Group, Philadelphia, PA  
December 1, 2011

**Future of the Rules/New Developments**

8th Annual Georgetown Law Advanced eDiscovery Institute, Washington, DC  
November 19, 2011

**Social Media Roundtable**

15th Annual Electronic Discovery and Records Retention Conference - Thompson Reuters, New York, NY  
November 10, 2011

**Risk Management (eDiscovery Department Leader Track)**

Georgetown Law eDiscovery Practice Support Program, Washington, DC  
November 4, 2011

**A Federal Rule on Preservation & Sanctions: Exploring the Alternatives**

2011 Annual Meeting, Electronic Document Retention & Production Working Group - The Sedona Conference®, Austin, TX  
October 6, 2011

**Preservation: Will this be the Next Change to the Federal Rules**

Masters Conference for Legal Professionals, Washington, D.C.  
October 3, 2011

**Effective Cost and Risk Containment Steps to Achieve Proportionality**

eDiscovery for the Corporate Market - Executive Counsel Institute, Houston, TX  
September 23, 2011

**Data Assessment from Beginning to End: Tools, Tricks and Traps**

eDiscovery for the Corporate Market - Executive Counsel Institute, Houston, TX  
September 22, 2011

**Technology Issues in the Employment Context**

Electronic Discovery Institute, Leadership Summit, Amelia Island, FL  
September 7, 2011

**eDiscovery in Employment Litigation**

Pennsylvania Bar Institute, Philadelphia, PA  
August 31, 2011

**Data Assessment from Beginning to End: Tools, Tricks and Traps**

eDiscovery for the Corporate Market - Executive Counsel Institute, New York, NY  
July 13, 2011

**Effective Cost and Risk Containment Steps to Achieve Proportionality**

eDiscovery for the Corporate Market, Executive Counsel Institute, New York, NY  
July 12, 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 9, 2011

**The eDiscovery Forecast: Partly Cloudy with a New Technology Front, Large Accumulations of Data, and a Chance of Sanctions**

The 2011 Executive Employer® Conference, Phoenix, AZ

April 7, 2011

**Pension Committee Revisited: Where Do We Go From Here?**

A Legal Hold Pro™ Signature Webinar

March 22, 2011

**Gestire il diluvio di dati: Stati Uniti eDiscovery nel 21° secolo (Managing the Data Deluge: U.S. eDiscovery in the 21st Century)**

La Sapienza Università di Roma, Rome, Italy

March 8, 2011

**eDiscovery Issues in Wage and Hour Litigation, Parts I - III**

BNA Video Insights Series - BNA Labor and Employment Resource Center™

March 7, 2011

**eDiscovery and Data Privacy**

Emerging Trends in Cyber Privacy Symposium, Temple University Beasley School of Law

February 5, 2011

**Bridging the eDiscovery Gap Between Bench and Bar**

Annual Meeting, Commercial and Federal Litigation Section - New York State Bar Association, New York, NY

January 26, 2011

**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

October/November/December 2010

**Practical Answers to the Most Current and Common eDiscovery Questions**

eDiscovery Series - Federal Bar Association, Western Pennsylvania Chapter, Pittsburgh, PA

December 9, 2010

**2010: A Sanctions Odyssey**

7th Annual Georgetown Law Advanced eDiscovery Institute, Washington, DC  
November 19, 2010

**eDiscovery Team Building: Do You Need National eDiscovery Counsel**

Masters Conference, Washington, D.C.  
October 4, 2010

**Real ECA and Risk Analysis**

eDiscovery for the Corporate Market - Executive Counsel Institute, New York, NY  
July 13, 2010

**Effective Cost and Risk Containment Steps**

eDiscovery for the Corporate Market - Executive Counsel Institute, New York, NY  
July 12, 2010

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

Washington, D.C.  
June 2, 2010

**The Future of Employment Law Class Actions**

The 2010 Executive Employer® Conference, Phoenix, AZ  
April 9, 2010

**How Corporations Can Operate Most Effectively with Outside Counsel**

LegalTech® XXIX, New York, NY  
February 2, 2010

**Achieving a Cost-Efficient, Defensible Document Review**

LegalTech® XXIX, New York, NY  
February 2, 2010

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

LegalTech® XXIX, New York, NY  
February 1, 2010

**eDiscovery and EPLI: Overcoming the Challenges Associated with the Preservation and Production of Electronically Stored Information and Incorporating eDiscovery into EPLI Cases**

15th Annual Conference on Employment Practices Liability Insurance - American Conference Institute, New York, NY  
January 26, 2010

**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

October/November/December 2009

**eDiscovery Roundtable**

American Lawyer Media

November 16, 2009

**Controlling eDiscovery Costs in Smaller Stakes Litigation**

6th Annual Georgetown Law Advanced eDiscovery Institute, Washington, DC

November 12, 2009

**eDiscovery in Employment Litigation: Best Practices to Avoid Sanctions and Penalties**

National Teleconference - Strafford Publications

October 13, 2009

**Managing the Data Deluge: eDiscovery Issues in Labor Class Actions**

Employment Class Actions Conference - Law Seminars International, San Francisco, CA

July 28, 2009

**Digital Dangers: Recent Developments and Trends**

The Boston Employer Conference, Dedham, MA

June 24, 2009

**eDiscovery and Privacy: How Domestic and Global Employers Can Manage the Ultimate 'Catch 22,'**

Practical Privacy Series - International Association of Privacy Professionals (IAPP), Santa Clara, CA

June 18, 2009

**Preventing Your Intellectual Property from RIFing out the Door**

Association of Corporate Counsel, DELVACCA Chapter, Philadelphia, PA

May 15, 2009

**Cost Containment in the New, Billion Dollar World of eDiscovery**

The 2009 Executive Employer® Conference, Phoenix, AZ

April 24, 2009



**Digital Dangers: Recent eDiscovery Developments and Trends**

Littler Mendelson, Portland, OR

February 20, 2009

**eDiscovery in Employment Litigation: Best Practices to Avoid Sanctions and Penalties**

National Teleconference - Strafford Publications

February 18, 2009

**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

October and December 2008

**eDiscovery From the Corporate Side: Challenges and Solutions**

5th Annual Georgetown Law Advanced eDiscovery Institute, Arlington, VA

November 19, 2008

**Digital Dangers: Recent Developments and Trends**

The Ohio Employer Conference, Cleveland, OH

October 30, 2008

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

Global Employer® Institute, Washington, D.C.

October 25, 2008

**Digital Dangers: Recent eDiscovery Developments and Trends, Littler Briefing**

San Jose, CA

October 2, 2008

**eDiscovery in Employment Litigation: Best Practices to Avoid Sanctions and Penalties**

National Teleconference - Strafford Publications

July 29, 2008

**Digital Dangers: Recent eDiscovery Developments and Trends, Littler Briefing**

St. Louis, MO

May 21, 2008

**Digital Dangers: Recent Developments and Trends**

Littler Briefing, Las Vegas, NV

May 14, 2008

**Complying with Your eDiscovery Requests: Tips to Make Your Life Easier**

14th Annual Employment Law Institute - Pennsylvania Bar Institute, Philadelphia, PA  
April 18, 2008

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

The 2008 Executive Employer® Conference, Phoenix, AZ  
April 11, 2008

**EEOC Class Actions - A Developing Trend**

The 2008 Executive Employer® Conference, Phoenix, AZ  
April 10, 2008

**Current Trends in U.S. and European eDiscovery**

2008 Privacy Summit - International Association of Privacy Professionals, Washington D.C.  
March 28, 2008

**The eDiscovery Battleground**

Class Action Summit - Littler Mendelson, Laguna Beach, CA  
March 6, 2008

**Views From The Top - eDiscovery**

CIO Forum Annual Conference - Healthcare Information and Management Systems Society (HIMSS), Orlando, FL  
February 26, 2008

**Emerging Technology Trends - Advanced Analytics and Linguistic Technologies**

LegalTech®, New York, NY  
February 6, 2008

**eDiscovery in Employment Litigation: Best Practices to Avoid Sanctions and Penalties**

National Teleconference - Strafford Publications  
January 31, 2008

**Processing: Identifying Variables, Assessing Options**

11th Annual Electronic Discovery and Records Retention Conference - West Legalworks, San Francisco, CA  
December 13-14, 2007

**Top Ten Steps To Enforcing A Restrictive Covenant**

13th Annual Business Lawyers' Institute - Pennsylvania Bar Institute, Philadelphia, PA  
October 18, 2007

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

2007 Bucks County Bench Bar Conference, Baltimore, MD  
October 5, 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  
September 28, 2007

**The e-Trail from the Boardroom to the Courtroom: the New Electronic Discovery Amendments to the Federal Rules of Civil Procedure**

12th Annual Business Lawyers' Institute of the Pennsylvania Bar Institute  
November 2, 2006

**Lessons Learned From an eDiscovery Sanction, With a Look Forward to the New Federal Rules of eDiscovery**

12th Annual Business Lawyers' Institute - Pennsylvania Bar Institute, Philadelphia, PA  
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  
November 2006

**Guarding the Crown Jewels: A Litigation Perspective**

Information Security, Trade Secrets and Intellectual Property Symposium - Association of Corporate Counsel, DELVACCA Chapter, Conshohocken, PA  
January 19, 2006

**The Andersen Case, Lessons of the Fall**

Civil Litigation Section Retreat - Pennsylvania Bar Association, Gettysburg, PA  
April 2004

**The New Sarbanes-Oxley Act of 2002**

Annual Ethics Program - Association of Corporate Counsel, DELVACCA Chapter, Philadelphia, PA  
May 2003

**Ethics Potpourri**

Pennsylvania Bar Institute - Philadelphia, PA  
April 2003

**The Andersen Case, Lessons of the Fall**

8th Annual Business Lawyers' Institute - Pennsylvania Bar Institute, Philadelphia, PA  
October 2002

## The New Sarbanes-Oxley Act of 2002

Annual Ethics Program - Association of Corporate Counsel, DELVACCA Chapter, Conshohocken, PA  
October 2002

## Books & Book Chapters

- Ballet, Magna-Tiles® and Doughnuts: A Framework for Mutual Compliance with Amended Rule 34, *The ABA Journal of the Section of Litigation*, Vol. 4, No. 2, pp. 9 – 11, Winter 2008
- Chapter 27, The Improvement in the Administration of Justice, *eDiscovery for the 21st Century and Beyond*, Eighth Edition, ABA Lawyers Conference Judicial Division, Peter M. Koelling, Editor, January 2017
- *The Sedona Conference® Commentary on Rule 34 and Rule 45 Possession, Custody, or Control*, Executive Editor and Working Group 1 Steering Committee Liaison, August 2016
- In Employment Cases, eDiscovery is a Two-Way Street, *The Federal Judges' Guide to Discovery (Edition 2.0)*, Chapter 12, The Electronic Discovery Institute, December 2015
- *The Littler Report®: The Move Towards Big Data in Employment*, Contributing Author (eDiscovery section), August 2015
- The Sedona Conference® Commentary on Rule 34 and Rule 45 Possession, Custody, or Control, *April 2015 Public Comment Version*, Team Leader and Working Group 1 Steering Committee Liaison, April 15, 2015
- *The Littler Report: The Transformation of the Workplace Through Robotics, Artificial Intelligence and Automation, Employment and Labor Law Issues, Solutions and the Legislative and Regulatory Response*, Contributing Author, February 2014
- *The Littler Report: The "Bring Your Own Device to Work" Movement*, Contributing Author, May 2012
- *The Littler Ten: Employment, Labor and Benefit Law Trends for Navigating the New Decade*, Contributing Author, September 2010
- Navigating the New eDiscovery Rules, *The ABA Journal of the Section of Litigation*, Vol. 33, No. 2, Winter 2007
- *Failing to Produce e-mails Could Cost Your Client . . . One Billion Dollars! 10 Lessons Learned from an e-Discovery Sanction*, Co-Author, Monograph, Spring 2006
- Digital Dangers: A Primer On Electronic Evidence In The Wake of Enron, *The ABA Journal of the Section of Litigation*, Co-Author, Vol. 30, No. 1, pp. 24-30, Fall 2003