



ELECTRONIC DISCOVERY

Maintaining the Right Balance: Proportionality and Electronic Discovery

Program dates start October 7. Register today!

**3 CLE
1 EPR**

Maintaining the Right Balance: Proportionality and Electronic Discovery

Make the “E” stand for “Easy”

Preservation obligations in e-discovery can be expensive and time-consuming, but that’s not inevitable. *Maintaining the Right Balance: Proportionality and Electronic Discovery* will show you how to analyze the particular needs of your case and develop an appropriate strategy for your client.

From reviewing your ethical obligation to take affirmative efforts to preserve potentially relevant ESI, to exploring cost-shifting strategies, you’ll have an abundance of tips that you can immediately put into practice.

Who should attend:

- Civil litigators
- In-house counsel
- General practitioners

How you’ll benefit:

- Take a strategic approach to proportionality issues in the early stage of litigation
- Avoid the cost and expense of “over-preservation”
- Prevent and pursue sanctions for spoliation of evidence
- Leverage the “meet and confer process” to protect your client’s interests

Register now!

Schedule

8:30 AM **The Ethically Competent E-Discovery Practitioner**

- SCR 20:1.1 - Recent developments addressing duty of competence in connection with electronically stored information
 - Amendments to Rule 1.1
 - California State Bar opinion
 - Confidentiality issues
- Duty to understand the fundamental principles of e-discovery – an overview of spoliation, preservation, document retention issues
- Duty to understand the features and implementation of the litigation hold
- Duty to acquire a strong understanding of technology surrounding the preservation, processing, and production of electronically stored information, including:
 - Client’s information management systems, including back up and storage systems, network
 - The software and hardware programs that are used to review and process ESI
 - Potential sources of accessible (and inaccessible) data
 - The meet and confer process and its relationship to competence
 - Conducting searches
 - Collecting and producing non-privileged ESI

9:20 AM **New Wine in an Old Bottle? Proportionality and Its Application to E-Discovery**

- Brief overview of amendments in the state and federal system
- Proportionality and cost-shifting in production issues
- Proportionality in the preservation process
- Creating a record

10:10 AM **Break**

10:25 AM **Dealer’s Choice: How Proportionality Works in a Hypothetical Setting**

- Cost-shifting strategies
- Motion practice
- Meet and confer process

11:15 AM **Program Concludes**

Following start time, webcast replay schedule will vary slightly from above listed times.



About the Presenter

Timothy D. Edwards, is the founder of Edwards Law Group LLC, in Madison, and an Adjunct Lecturer at the University of Wisconsin Law School, where he currently teaches pre-trial advocacy and trial advocacy. Tim's practice focuses on electronic discovery consulting, business litigation and employment litigation. He can be reached at edwards@tdemadison.com.

Dates

Live Webcast

Wednesday, October 7, 2020

Webcast Replay

Friday, October 23, 2020

Wednesday, October 28, 2020

Tuesday, November 3, 2020

Friday, November 13, 2020

Tuesday, November 17, 2020

Monday, November 23, 2020

Friday, December 4, 2020

Additional webcast replay dates are available for this program. Visit wisbar.org/seminars for more information and to register.

Credits

This program has been submitted to the Wisconsin Board of Bar Examiners for up to **3 CLE credits including 1 Ethics and Professional Responsibility credit**.

Registration

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Registrations
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State Bar CLE/PINNACLE Passbook Registrations:

Passbook Certificates must be received by the State Bar at least one business day prior to the event.

Registration Cancellations:

Visit wisbar.org/cancellation_policy for information on PINNACLE registration cancellation policies.

Course materials for those attending the seminar:

Course materials are provided in PDF format and are downloadable from myStateBar on wisbar.org up to two days prior to and 90 days after your seminar.

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Live Webcast: Oct. 8, 2020 **Webcast Replays:** Oct. 21, 2020 | Oct. 30, 2020 | Nov. 9, 2020

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Maintaining the Right Balance: Proportionality and Electronic Discovery

Priority Code: S 3 9 2 7 B

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