

The Sedona Conference Working Group 1
Electronic Document Retention & Production
2020 Online Midyear Meeting

Thursday, April 30, 1-2:30 p.m. EDT

♥ @TSCSedona

F SedonaConference

The Sedona Conference

#SedonaConference AGENDA

1:00-1:10 p.m. Welcome & Announcements

(Craig Weinlein, Kevin Brady, Martin Tully)

1:10-1:30 p.m. Draft Commentary on the Effective Use of Non-Waiver Orders Under Federal Rule of Evidence 502(d)

(Judge Peck, Scott Milner, Daniel Lim, Kaleigh Powell)

Overview and Intent of Primer

- Potential reasons for lack of widespread adoption
- Negotiating 502(d) when Requesting Party may receive no benefit or has little to no documents
- Potential issues from the Requesting Party's point of view including potential lack of care during production and late or excessive clawback requests

1:30-1:45 p.m. Draft Commentary on Best Practices for Small Cases

(Greg Kohn, Kevin Clark, Trena Patton)

Status of paper and where we stand

• Cross-reference to other Sedona publications

Tips and Tricks for Technology

- Collection
- Review and Production
- Appendix

Questions to group:

- What technologies to include in appendix?
- What additional tips to help addresses issues that commonly arise in small case e-discovery?

1:45-2:05 p.m. Draft Outline on The Need for Uniformity in Filing ESI Under Seal

(Heather Kolasinsky, Jodi Schebel, Anthony Petruzzi, Bethany Caracuzzo)

Status of the Drafting Group

Membership input

2:05 -2:25 p.m. Draft Commentary on Rule 34 Specificity of Requests

(Jennifer Coleman, Don Myers, Rebekah Bailey)



The Sedona Conference Working Group 1 Electronic Document Retention & Production 2020 Online Midyear Meeting

Thursday, April 30, 1-2:30 p.m. EDT

AGENDA

Introduction

Overview of paper

History of paper

Where we started and where we are now

Sections of paper

Historical/Legal View

- Early SCOTUS decisions
- 1970 amendments
- The age of ESI

Procedural Obligations

- Interplay between Rules 34 and 26
- Practice Pointers for Drafting Requests

Sanctions/Remedies

• We will want group input on this section

Meet and confer obligations

• Interplay between other Sedona publications and the Rule 34 paper

Questions/Comments

2:25-2:30 p.m. Closing remarks

(Craig Weinlein)