

**The Sedona Conference® Working Group 11  
on Data Security and Privacy Liability  
2017 Annual Meeting**

**January 16-17, 2017  
St. Pete Beach, Florida**

**Day One: Monday, January 16**

7:45 - 8:45 Continental Breakfast & Sign-In

8:45 - 9:00 Welcome & Overview  
(*Moncure, Saikali, Weinlein*)

9:00 - 10:15 An interactive data breach exercise: putting WG11 incident response guidance into practice  
(*Cattanach\*, Kruse, Rollins, Schwendinger, Swanson, Ziobro*)

The panel of dialogue leaders will engage in a mock data breach exercise and lead a dialogue on best practices for how to prepare and respond to a data breach, while referencing the latest draft of The Sedona Conference *Incident Response Guide*. The dialogue leaders will seek significant input from the full group of WG11 members in attendance in an effort to identify varying approaches to breach preparation and response.

Required Materials: 1, 2  
Recommended Materials: 1

10:15 - 10:30 Morning Break

10:30 - 11:30 Data security and privacy issues in civil litigation  
(*Masson, Sampson, Slack, Tully\*, Wilan*)

A panel of WG11 brainstorming group members will lead a dialogue with the full group in attendance on their outline on the topic. The dialogue will focus on the exploration of best practices – and whether WG11 can create model documents – for parties seeking to share this sensitive information. Such documents may include provisions for protective orders governing how counsel may exchange sensitive information, and confidentiality provisions and nondisclosure agreements between lawyers and their service providers.

Required Materials: 3

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**Day One: Monday, January 16 (Cont.)**

11:30 - 12:30

Law firm data security

*(Christensen, Falk\*, Henkin, King, Neal, Riemann)*

A panel of WG11 brainstorming group members will lead a dialogue with the full group in attendance on their outline on the topic. The session will include dialogue on the techniques clients use to evaluate their outside counsel's security practices, as well as consideration of WG11 work product which would include questions and topics clients can use to inquire about their outside counsel's data security and privacy practices.

Required Materials: 4

Recommended Materials: 2

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12:30 - 1:30

Lunch (provided)

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1:30 - 2:45

Cyber threat information sharing

*(Halas, Jorgensen, Meade, Moncure, Saikali\*, Ziobro)*

The panel will examine the Cybersecurity Information Sharing Act of 2015 and recent trends related to corporations sharing and receiving cyber threat information. The dialogue will explore, among other things, the methods by which cyber threat intelligence sharing takes place, the perceived risks and benefits for corporations to share cyber intrusion information with the government, and public policies that drive cyber threat information sharing laws. The dialogue will conclude by exploring potential opportunities for Sedona to help advance the law in this area, which could ultimately benefit all parties involved in these issues.

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2:45 - 3:00 Afternoon Break

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3:00 - 4:15 Data protection regulator roundtable  
(*Fitzsimmons\**, *Magalhães*, *Shonka*)

Leading federal and state regulators will dialogue on important issues and developments in privacy and data security law. Topics will include recent state and federal enforcement laws, inter-agency coordination, recent enforcement actions, data security practices that give rise to regulatory concern, and laws governing how companies can permissibly collect, use, share, and dispose of sensitive information.

Recommended Materials: 3

4:15 - 5:15 Privacy by design  
(*Ackert*, *Lim*, *Riemann\**, *Sampson*, *Shook*)

The panel of brainstorming group members will lead a dialogue on their outline, which proposes practical guidance to integrate principles of privacy into the design of a product.

Required Materials: 5

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5:15 - 7:15 Reception (guests invited)

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**Day Two: Tuesday, January 17**

8:00 - 9:00 Continental Breakfast & Sign-In

9:00 - 10:00 Communicating with executives  
(*Bennett, Block, Schwendinger\**, *Shook, Walton*)

A panel of WG11 brainstorming group members will lead a dialogue with the full group in attendance on their outline on the topic. The dialogue will focus on the development of guidance/best practices to assist organizations that are working to create a culture of strong data security and privacy from the board level.

Required Materials: 6

10:00 - 11:00 What's next for WG11? A dialogue on progress made, and the next steps for the working group  
(*Brady, Cattanch, Houlik, Moncure, Saikali\**, *Sorrell*)

WG11 Steering Committee members will lead a dialogue amongst the full group on progress made on the work product of the Working Group, and the Working Group as a whole. WG11 member input will be sought regarding the future direction of WG11, including ideas for new commentaries and projects.

11:00 - 11:15 Morning Break

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**Day Two: Tuesday, January 17 (Cont.)**

11:15 - 12:15 International data security and privacy issues roundtable: what should be WG11's focus?  
(*Bennett, Cohen, Moncure\**, *Shonka, Tobón*)

This panel will examine several key issues in international data privacy and security and solicit feedback from the membership regarding next steps for WG11 as related to international issues.

12:15 - 1:15 The Sedona Conference *Commentary on Privilege Issues in Data Security Litigation*  
(*Edwards, Magalhães, Meal\**, *Ray, Vibbert*)

WG11 drafting team members will lead a dialogue on the draft *Commentary on Privilege Issues in Data Security Litigation*, which provides commentary on the privilege tools and other protections available under U.S. rules and case law to shield certain documents and communications in a data security litigation scenario.

Required Materials: 7

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1:15 - 2:15 Lunch (provided)

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