

**The 7th Annual Sedona Conference® International Programme
on Cross-Border Discovery & Data Protection Laws****8-9 June 2015****Sheraton Hong Kong Hotel & Towers, Hong Kong****Day One Morning: Monday 8 June 2015****7:30 - 8:30 Continental Breakfast & Sign-In**8:30 - 8:45 Welcome & Overview
(*Crowley, Kennedy, Potter*)8:45 - 9:45 Cross-Border Data Transfer & Data Protection Laws: Key Issues & Concerns for Data Protection Authorities in the Asia Pacific Region
(*Chiang, Kennedy*, Pilgrim, Shonka*)

The panel, which includes leading data protection authorities in the Asia Pacific region, will identify – from its perspective – key issues in cross-border data transfers, and lead a dialogue to answer your questions and hear your concerns.

9:45 - 10:45 Cross-Border Data Transfer & Data Protection Laws: Key Issues & Concerns for Organizations and Legal Counsel in the Asia Pacific Region
(*Crowley*, Ho, Weiss, Williams*)

Asia Pacific region practitioners will identify key issues in cross-border data transfers for organizations and legal counsel in the Asia Pacific region, and lead a dialogue on your experience.

10:45 - 11:00 Morning Break11:00 - 12:30 The APEC Privacy Framework and the Cross-Border Privacy Rules (CBPR): A Practical Solution to Data Protection and Cross-Border Data Transfer Issues in the Asia Pacific Region?
(*Harris, Kwok, Moncure, Potter**)

With just four APEC member economies signing on to the APEC CBPR system since its inception in 2011 - including only one country in the Asia Pacific region, Japan – the CBPR system remains in its infancy, with its trajectory unclear. This dialogue will focus on the latest developments of this framework for facilitating cross-border data transfers in the Asia Pacific region, and its long-term viability. The challenges to its progress and ultimate success will be examined, and methods to meet such challenges will be considered.

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on Cross-Border Discovery & Data Protection Laws****8-9 June 2015****Sheraton Hong Kong Hotel & Towers, Hong Kong****Day One Afternoon: Monday 8 June 2015****12:30 - 13:30 Lunch (provided)****13:30 - 15:00****How do The Sedona Conference *International Principles* Work in Practice in the Asia Pacific Region?***(Esteban*, Harris, Illston, J., Matus, Potter)*

The panel, which includes original drafters of The Sedona Conference *International Principles on Discovery, Disclosure & Data Protection: Best Practices, Recommendations & Principles for Addressing the Preservation of Protected Data in U.S. Litigation*, will share their experience with, thoughts on, and constructive criticism of the *Principles*, as applied to their respective practices. The panel will also lead dialogue with the Programme participants on how – and whether – the *Principles* might be expanded to address specific national and regional issues.

15:00 - 15:15**Afternoon Break****15:15 - 16:30****A Dialogue on Cross-Border Information Transfers in Government & Internal Investigations***(Backhouse, Hoffman, Kennedy*, Moncure, Shonka)*

Members of The Sedona Conference's Working Group 6 (WG6) will lead a dialogue on the recently completed draft of the *International Principles for Addressing Data Protection in Cross-Border Government & Internal investigations: Principles, Commentary and Best Practices*. The panel will seek feedback on the utility of the document for organizations in the Asia Pacific region.

17:00 - 19:00**Reception with the faculty (guests invited)**

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Day Two Morning: Tuesday 9 June 2015

7:30 - 8:30 Continental Breakfast & Sign-in

8:30 - 10:00 A Dialogue on Practical In-House Approaches to Cross-Border Discovery & Data Protection
(*Hamilton**, *Hasofer*, *Hoffman*, *Kemnitz*, *Matus*)

Members of The Sedona Conference’s Working Group 6 (WG6) recently completed its latest version of The Sedona Conference *Practical In-House Approaches for Cross-Border Discovery & Data Protection* (soon to be released for public comment), which provides practical guidance for organizations to address both cross-border discovery and data protection obligations. This panel will lead a dialogue on the utility of this document for companies and counsel globally, but particularly those based in the Asia Pacific region.

10:00 - 11:30 Information Governance Considerations in the Asia Pacific Region
(*Backhouse*, *Crowley**, *Hamilton*, *Ho*, *Kemnitz*, *Weiss*)

The Sedona Conference *Commentary on Information Governance* advises that before an “organization disposes of any business records, it should conduct a hold analysis to determine whether there are any legal/regulatory or other obligations in place that require the organization to retain information, regardless of its business value.” This panel will lead the dialogue on the applicability of this advice to Asia Pacific-based companies and the place of Information Governance in the response to cross-border discovery, government investigation, and internal investigation challenges.

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Day Two Afternoon: Tuesday 9 June 2015

11:30 - 11:45 Morning Break

11:45 - 13:15 Balancing Disclosure Requirements with The Law of the People's Republic of China on Guarding State Secrets
(Hasofer, Illston, J., Potter, Williams)*

In a recent survey, 60% of respondents reported needing to collect data from China for investigations, arbitrations or litigation, by far more than any other country or region in the world. The Law of the People's Republic of China on Guarding State Secrets creates challenges for cross-border data transfers throughout the world, including those involving organizations in Hong Kong and other jurisdictions in the Asia Pacific region. Given the ever-increasing need for production of data located in China and the ever-present uncertainty surrounding the scope and applicability of the State Secrets Law, how are multinational companies and their legal counsel dealing with the competing obligations? Leading practitioners based in the Asia Pacific region will lead the dialogue on that issue. Also joining the panel is a U.S. federal judge, who will discuss how U.S. Courts address issues raised by the State Secrets law in cross-border discovery.

13:15 - 14:15 Lunch (provided)