

PRACTICE GROUP DESCRIPTION

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E-DISCOVERY TASK FORCE

Morrison & Foerster's experience in technology-related disputes has placed us at the forefront of electronic evidence and discovery issues for decades. The recent attention to e-discovery generated by highly publicized spoliation judgments, a growing body of case law, and the passage of amendments to the Federal Rules of Civil Procedure has put the capabilities of our lawyers and staff in even greater demand.

To meet this demand, Morrison & Foerster has continued to expend significant resources to assure that our lawyers and staff have unrivaled expertise in directing the e-discovery challenges central to success in today's complex litigation environment. Through our firmwide E-Discovery Task Force, we have developed detailed best practices for managing e-discovery legal and technological issues and through our Litigation Technology Group we have assembled a team of technical experts available to support our cases anywhere in the world.

A number of our lawyers have been looked upon as leaders in the field, authoring articles and teaching seminars on e-discovery. Because of the depth of our practice, our experience with e-discovery extends beyond the civil litigation arena and also includes dealings with federal and local governments in criminal and civil investigations.

In addition to handling e-discovery in litigation and investigations, we provide a number of related services to our clients, including:

Designing, testing and implementing policies and procedures to preserve, retrieve, review, and produce electronically stored information;

Evaluating disparate proposals from vendors, negotiating with vendors, and managing their services to provide the best work product for the best price; Training client in-house lawyers and staff on e-discovery issues, pit-falls, rules, and best practices; and

Establishing e-discovery contingency plans to enable our clients to be in the best position to effectively manage e-discovery demands and the unfortunately related business distractions.

Morrison & Foerster is also a leader in issues relating to global privacy laws. Our experts in the U.S., Asia, and Europe supplement our e-discovery practice by providing guidance on confidentiality, security, and cross-border data transfer issues.

Publications

- [Managing Risk & Resolving Crisis](#), *Financier Worldwide*, July 2007. Reprinted with permission.
- [In Pursuit of FRCP 1: Creative Approaches to Cutting and Shifting the Costs of Discovery of Electronically Stored Information](#), 13 *Rich. J.L. & Tech.* 11, Spring 2007 (co-authors Emmalena Quesada and Ashley Sternberg). This article first appeared in the *Richmond Journal of Law & Technology*, Volume XIII, Issue 3, Spring 2007. © 2007 *Richmond Journal of Technology & Law*.
- [Backup Tapes, You Can't Live With Them and You Can't Toss Them: Strategies for Dealing with the Litigation Burdens Associated with Backup Tapes Under the Amended Federal Rules of Civil Procedure](#), (co-authors Grant J. Esposito and Thomas M. Mueller) *Richmond Journal of Law & Technology* Volume 13, Issue 3 (2007). This article first appeared in the *Richmond Journal of Law & Technology*, Volume XIII, Issue 3, Spring 2007. © 2007 *Richmond Journal of Technology & Law*.
- ["Good Faith" Safe Harbor of FRCP 37\(f\) to Prevent Drowning in Zubulake?](#), *Trial Evidence*, Winter 2007. Reprinted with permission.
- [Backup Tapes in Civil Litigation](#), New York City Bar CLE Seminar on Current Issues in Accounting Litigation, July 13, 2006. Reprinted with permission.
- [What Ever is a Non-Party to Do?](#), *New York Law Journal*, April 17, 2006. Reprinted with permission.

Speaking Engagements

- "Electronic Discovery Certification Course," Kroll OnTrack Certification Course, Eden Prairie, MN, June 7-8, 2007. Anne Elizabeth LePore, Senior Paralegal, Speaker
- "E-Discovery Planning and Project Management," ALM 2nd Annual Paralegal Manager Institute, Washington, D.C., February 26, 2007. Anne Elizabeth LePore, Senior Paralegal, Speaker
- "The Impact of the Federal Rule Changes on Electronic Discovery and Document Storage," Lorman Education Services Conference, New York, February 22, 2007. Grant Esposito and Thomas Mueller, Partners, Speakers
- "Last Chance CLE: Important Legal Developments in 2006," Practising Law Institute (PLI) Conference, New York, December 20, 2006. Grant Esposito, Partner, Speaker
- "Non-party E-Discovery Preservation & Production Duties," sponsored by Kroll Onrack, live internet broadcast, September 28, 2006. Grant Esposito, Partner, Speaker
- "Introducing the New 'E-Discovery' Amendments to the Federal Rules of Civil Procedure," Annual Conference of the American Bar Association, Honolulu, August 5, 2006. Mia Mazza, Partner, Speaker
- "Current Issues in Accounting Litigation," New York City Bar Seminar, New York, July 12, 2006. Grant Esposito, Partner, Speaker
- "Surviving 'The ED Age' Together," LegalTech West Coast Conference, Los Angeles, June 6, 2006. Mia Mazza, Partner, Speaker

- “Being Proactive – Developing a Plan for Electronic Discovery,” Mealey's Email Discovery & Retention Policies Conference, San Francisco, May 18, 2006. Mia Mazza, Partner, Speaker
- “Tips for Successfully Managing the E-Discovery Process,” Marcus Evans Legal & Strategic Guide to E-Discovery Conference, San Francisco, March 28, 2006. Mia Mazza, Partner, Speaker
- “The Legal and Strategic Guide to E-Discovery,” Marcus Evans Legal & Strategic Guide to E-Discovery Conference, San Francisco, March 28, 2006. Eugene Illovsky, Partner, Speaker
- “E-Discovery and Information Management Conference,” CLE Seminar hosted by Strafford Publications, teleconference, February 22, 2006. Grant Esposito and Thomas Mueller, Partners, Speakers
- “eDiscovery — Bench & Bar Perspectives,” Recorder Roundtable Program, Commonwealth Club of San Francisco, September 22, 2005. Mia Mazza, Partner, Speaker