Electronic Discovery
{ New Demands and Trends }

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Topics …
• Expanding Scope of eDiscovery
• Electronically Stored Information (ESI)
• Costs and Challenges
• Strategies and Steps
• Benefits
• Next Steps …

Federal Rules of Civil Procedures
• Rule 26(b) - Electronically Stored Information
• Rule 26(b)(2) - Reasonable Accessibility
• Rule 26(f) - 120 day rule for information disclosure and discovery negotiation
• Rule 37(f) - Safe harbor for destruction due to standardized, automated data management practices.

BrightPlanIT Best Practices in IT
• Award-winning Technology Consulting, Training, and Research Firm
• Multi-Disciplined Technology Specialists and Subject Matter Experts
• Regional Focus with Global Delivery Capabilities
• Microsoft Strategic Delivery Extension for Consulting and Training
• According to Webster…
  • Bright: Glorious, splendid, animatedly clever, intelligent
  • Plan: A systematic arrangement of important parts
  • IT: Information Technology
  “Best Practices in Information Technology”

Expanding Scope of eDiscovery

FRCP

GLBA

SOX

HIPAA

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Electronically Stored Information

- A new legal term of art: “electronically stored information” to supplement the older term “documents”:

"The wide variety of computer systems currently in use, and the rapidity of technological change, counsel against a limiting or precise definition of ESI…A common example [is] email … The rule … [is intended] to encompass future developments in computer technology."
Topics …

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- Costs and Challenges
- Strategies and Steps

Benefits

- Reduce overall corporate risk
  - Reputation Risk
  - Fines and other Court Sanctions
- Reduction in Litigation costs
  - Even a small percentage decrease in litigation costs can provide rapid ROI
- Reduced burden on organization, production line-of-business systems, and IT staff.

Possible Unexpected Benefits

- Improved disaster recovery timeframe
- Accelerated collaboration capabilities
- Improved performance and stability of data, applications and network environment
- Empower IT Staff to focus on proactive initiatives

Next Steps …

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