

# E-Discovery Challenges & Opportunities

## *Collection, protocols and consequences*

Discovery is often the longest period of a lawsuit and typically comes with challenges and roadblocks—some foreseen and some unexpected. Given the various communication platforms available, it is rare for a case to solely involve paper copies of documents. Instead, parties routinely seek information stored in emails, electronic messaging systems, cell phones, and other electronic devices. In some cases, the parties need to develop an electronically stored information (“ESI”) protocol to govern the format of the documents produced and to confer over the scope of electronic discovery. The failure to preserve electronic evidence can have drastic consequences.

Join our experts to discuss best practices for preserving, searching for, and retrieving electronic discovery.

### Agenda

- The Importance of Litigation Hold Letters
- Collecting Electronically Stored Information
- Formulating ESI Protocols
- Consequences for Failing to Preserve Evidence

### Speakers



**ALYCIA KENNEDY** is an associate at Todd & Weld LLP in Boston, where she concentrates her practice on commercial litigation. She assists clients in all phases of civil litigation, including examining witnesses in court, conducting depositions, arguing dispositive motions, conducting all phases of discovery, drafting pleadings, negotiating settlements, and developing litigation strategy. Ms. Kennedy is recognized in *Best Lawyers in America: Ones to Watch for Commercial Litigation*. She is a graduate of Boston College Law School (J.D., magna cum laude) and Boston College (B.A.).



**LUCIA A. PASSANISI**, an associate at Todd & Weld LLP in Boston, concentrates her practice on employment litigation, including matters involving discrimination, retaliation, wrongful termination, non-solicitation and non-competition agreements, misappropriation of trade secrets, and wage and hour laws. Ms. Passanisi represents clients at all stages of the litigation process, and regularly appears in court, conducts depositions, prepares pleadings, and negotiates settlements. In addition to employment matters, her practice includes commercial litigation and business disputes. Ms. Passanisi is recognized in *Best Lawyers in America: Ones to Watch for Litigation: Labor and Employment*, and by *Super Lawyers* as a Massachusetts Rising Star in Employment & Labor. She is a graduate of Northeastern University School of Law (J.D.) and Boston College (B.A., summa cum laude).

### Dates & Location

Register at [www.mcle.org](http://www.mcle.org)

#### LIVE WEBCAST

Friday, February 11, 2022  
12:00 noon–1:00 pm  
Program Number: 2220144WBC

#### REBROADCAST

Monday, February 28, 2022  
3:00 pm–4:00 pm  
Program Number: 2220144RBC

#### REBROADCAST

Tuesday, March 8, 2022  
10:00 am–11:00 am  
Program Number: 2220144RB1

#### ON DEMAND WEBCAST

View after Tuesday, March 8, 2022  
Program Number: 2220144WBA

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