



## *THE SAN DIEGO ESI FORUM*

**PRESENTS ANOTHER FREE MCLE COVERING ELECTRONIC DISCOVERY ISSUES IN  
CRIMINAL AND CIVIL CASES, STATE AND FEDERAL**

# **Impermanence in eDiscovery: Collection of Ephemeral Messaging, Social Media & Other Emerging Media**

**THURSDAY, JUNE 21, 2018, 12-1 P.M.**

**(ARRIVE BY 11:45 FOR SECURITY PURPOSES AND REGISTRATION)**

**Jury Assembly Room 230, Carter/Keep U.S. Courthouse  
333 W. Broadway, San Diego**

### **THE PROGRAM**

Ephemeral data is here today, gone tomorrow (or sooner). Popular ephemeral messaging applications like Snapchat and Wickr transmit instant messages that automatically disappear from the recipient's screen after the message has been viewed or shortly thereafter. These apps have gained enormous popularity as users and corporations flock to messaging platforms to conduct business. Traditional forensic tools struggle to collect effectively from cutting-edge cloud environments, from various mobile device sources and these messaging apps, exposing a company and its attorneys to potential liability for failure to preserve. The recent discovery sanctions issued against Uber in the *Uber/Waymo* trial highlight the risks of ephemeral messaging. Social media content is controlled by account holders and also subject to impermanence and change. Our panel of technology lawyers and forensic experts will discuss how various "new media" technologies work, whether artifacts exist that can be used in litigation, and ethical obligations to preserve impermanent data under the new Rules of Professional Conduct that will be in effect on November 1, 2018.

### **THE SPEAKERS**

**Ed McIntyre, Attorney & SDCBA Legal Ethics Executive Committee  
Ruth Hauswirth, Cooley's Director of Litigation & E-discovery Services  
Joe Pochron, Head of Forensics at TransPerfect Legal Services  
Justine Phillips, Partner at Sheppard Mullin Richter & Hampton**

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