Welcome

Welcome to the *Electronic Discovery and Evidence Online Course* - the acclaimed online instruction classroom for electronic discovery and evidence.

The unprecedented imposition of sanctions by the Courts has led to one of the most difficult competency periods in the practice of law. With the implementation of the amended federal rules and state rules regarding electronic evidence, legal professionals must respond and adapt immediately. These changes have a direct impact on e-discovery practices.

Electronic Discovery and Evidence Online Course is designed to provide you a premier interactive learning environment in the instruction of electronic discovery and evidence.

This unique course, with its acclaimed publications, will bring together some of the most distinguished experts in this field. Past speakers have included Judge John Facciola, Judge Paul Grimm, Craig Ball and many others.

Don't miss this opportunity to learn from and network with other legal professionals in the unique online learning environment that will permit innovative interactive learning.

This class meets weekly beginning March 14, 2012 6pm EST.

Best,

Michael
Michael R. Arkfeld

What is Unique about the Courses?

- Primary instructor: Michael Arkfeld, former litigator and acclaimed author and speaker who has written the seminal work on eDiscovery

- Unparalleled course materials - authoritative, current, comprehensive publications and model practice forms

- Focused on technological concepts and legal principles

- Distinguished speakers

- Interactive, innovative live teaching platform

- Online interactive course, includes over 18 hours of on demand instruction

- Pre and Post testing and certification

- Course completion credentials

- CLE approved - AZ, CA, CO, TX, OK, NC For additional states, please call for details.

In partnership with:

CENTER FOR
Law, Science & Innovation

ASU SANDRA DAY O'CONNOR
COLLEGE *of* LAW
ARIZONA STATE UNIVERSITY

AGENDA

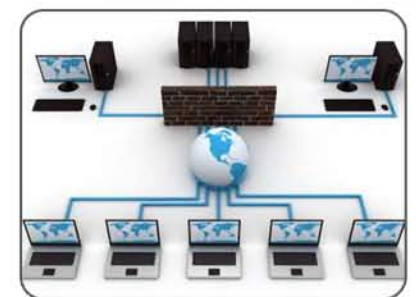The course will be divided into two primary series:

- Information Technology for the Legal Professional and
- eDiscovery Critical Issues, Strategy and Tactics

This course is based on the *Arkfeld on Electronic Discovery and Evidence* treatise and Best Practices Guides

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Information Technology for the Legal Professional Series

To fully understand how the law and the technology relate, e-discovery practitioners need a foundation in computer technology and forensics and how it relates to the practice of law. This program will serve as an essential primer of computer technological concepts and data forensics and its importance in your cases.

- Overview of Information Technology (IT) and Electronic Discovery
- Computer Fundamentals: Creating, Storing and Retrieving ESI
- Computer File System (Directories, Files, and File Formats) and Forms
- ESI Characteristics, Terminology and Classifications
- ESI Types
- Computer Forensics: Destroying, Restoring, Concealing and Protecting ESI
- IT Infrastructure: People, Procedures and Technology
- Storage Locations: Media, Devices, Networks, Servers, and Back-up Systems
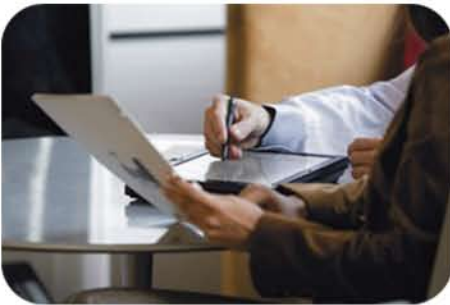- Managing and Producing ESI: Technological, Search and Cost Issues

"Finally, no attorney took supervisory responsibility for verifying that the necessary discovery had been conducted (including ensuring that all of the correct locations, servers, databases, repositories, and computers were correctly searched for potentially relevant documents) . . . " *Qualcomm Inc. v. Broadcom Corp.,* 2010 U.S. Dist. LEXIS 33889, at *10-11 (S.D. Cal. Apr. 2, 2010)

AGENDA (cont.)

eDiscovery Critical Issues, Strategy and Tactics Series

This program series provides instruction, strategy and tactics for handling specific ESI issues throughout pretrial discovery. This series is based on the *Arkfeld on Electronic Discovery and Evidence* treatise and Best Practices Guides. The contents will follow the life cycle of a case. The legal areas covered include:

- Nature of Claims, Scope of Discovery, Terminology and Classification. ESI Types and Storage

- Legal Holds and Controlling Costs

- Search Methodology and Protocol, Inspection of Computer Systems and Chain of Custody

- ESI Format Disclosure Requirements

- Privileged ESI, Nonwaiver Agreement and FRE 502

- Limitations on Discovery - Cost Allocation (Proportionality), Protective Orders. Burdensome and Relevancy.

- Certification of Production Efforts

- Spoliation and Sanctions

"[I]t is not sufficient to notify all employees of a litigation hold and expect that the party will then retain and produce all relevant information. Counsel must take affirmative steps to monitor compliance so that all sources of discoverable information are identified and searched." - *Zubulake v. UBS Warburg LLC*, 229 F.R.D. 422, 432 (S.D.N.Y. 2004)

YOUR KEY TO UNDERSTANDING E-DISCOVERY

Arkfeld on Electronic Discovery and Evidence and accompanying publications is an up-to-date, comprehensive resource for lawyers and other legal professionals. This publication provides a thorough discussion on the latest requirements and procedures related to the discovery and admissibility of electronic evidence. For further information on these publications visit Lexis at www.lexisnexis.com/arkfeld.

COURSE MATERIALS

Arkfeld on Electronic Discovery and Evidence (3rd. Ed.) (treatise)

Arkfeld on Electronic Discovery and Evidence is a comprehensive treatise that addresses all the key aspects of the discovery and admission of electronic evidence within the context of relevant statutes, regulations, and federal and state case law. This up-to-date 1,400 page treatise contains 8 chapters as well as four companion Best Practices Guides, which are cross-referenced to the treatise, and a fully–searchable e-book CD-ROM which includes the treatise, Best Practice Guides, full text of the cases and model practice forms.

Arkfeld's Best Practices Guides include:

Electronic Discovery and Evidence - This guide offers an overview and workbook for the myriad legal and technological issues that need to be addressed as well as a "Meet and Confer" Planning Guide.

ESI Pretrial Discovery - This popular Guide contains strategy and tactics for handling sixteen specific ESI issues throughout pretrial discovery.

IT Primer for Legal Professionals - This completely revised guide provides a much needed primer in understanding key technological concepts and the IT infrastructure of organizations. Included is a new section entitled *Information Technology Discovery Questions* for use in addressing IT issues with your clients, in depositions, interrogatories, and requests to produce.

Legal Hold - This publication provides strategic legal guidance, recommendations, and practice forms necessary in preparing for and implementing a "legal hold."

Michael Arkfeld's treatise on e-discovery is peerless among publications. No other volume offers the encyclopedic treatment of the topic and its depth and breadth of scholarship. Michael Arkfeld lucidly weaves practical knowledge gleaned from years at the bar with a professorial commitment to case law and best practices.

- CRAIG BALL, ATTORNEY AND SPECIAL MASTER

COURSE MATERIALS

Dates: Seven week program beginning March 14, 6pm EST through May 2nd, 2012

Tuition: $1200.00 (early bird discount of 15% until February 14th)

What's included? The tuition fee includes a set of *Arkfeld on Electronic Discovery and Evidence* publications ($279.00 value), interactive, online, live and on-demand course instruction for seven weeks, a pre and post test and certification. After the course, you are entitled to access the on-demand instruction and other content for up to one year.

Group rates: As a group, employees will learn together and share a common skill-set and knowledge-base in a particular area. For two or more attendees from the same firm, agency or organization the tuition fee is discounted by 20%. This cannot be combined with any other offers.

Financial aid: As a service to the legal profession, we offer full and partial scholarships for this course. If you are unemployed, work for a legal services organization, government agency or are a judge, judicial law clerk, law professor, law student , paralegal or IT staff contact us for details.

Law firm course: If you are interested in holding an exclusive online or in-house program to ensure everyone shares the same base legal knowledge and are equipped to take on the challenges of handling electronic legal matters in a consistent manner, contact us.

CLE Approved: AZ, CA, CO, TX, OK, NC. For additional states, please call for details.

Registration Information: To register contact Michael Arkfeld at Ph: **602-993-1937** or visit **www.lawclecenter.com** or for more information email **info@lawclecenter.com.**

REGISTRATION | Once you are registered and the tuition fee is paid, the publications will be immediately sent to you. The student syllabus will be sent to you at least two weeks before the commencement of the course.

IMPORTANT DECISION

This is probably one of the most important decisions in your legal career. The world has moved from a paper to a rapidly moving digital evidence practice. It affects every case, and even the electronic information stored on a computer, whether it is your clients or your own. You must take action to avoid consequences that could affect your clients or your organization.

WHO SHOULD ATTEND?

- Attorneys
- Consultants
- eDiscovery coordinators
- Service provider advisors
- Law students and professors
- Judges and law clerks
- Paralegals
- Litigation support
- IT personnel