

Civil Discovery Symposium
Akron Law
April 6, 2018

Agenda

- 1. 9:15 to 10:00 a.m. – Chief Judge Lee Rosenthal (S.D. Tex.) and Professor Steven Gensler (U. Okla. Law)**
 - a. Boilerplate discovery rejected by 2015 Amendments to FRCP
 - b. Fair Labor Standards Act Discovery Protocols

- 2. 10:15 to 11:00 a.m. – Professor Vivian Curran (Pitt. Law)**
 - a. Transnational discovery between U.S. and civil countries
 - b. Use of 28 USC § 1782 to obtain U.S. discovery in transnational cases

- 3. 11:00 to 11:45 a.m. – Brittany K.T. Kauffman, Director, *Rule One Initiative*, U. Denver**

Need for broader initial disclosures, followed by tailored discovery

- 4. 12:00 to 1:00 p.m. – Judge Paul Grimm (D. Md.)**
 - a. Advocating “pre-motion conferences” regarding discovery
 - b. Advocating “pre-motion conferences” for Rule 12 and dispositive motions.
 - c. Other practical and common-sense measures for judges to realize benefits of 2015 amendments to FRCP

- 5. 1:15 to 2:00 – Thomas Allman (Cincinnati Law)**

E-Discovery best practices and the Sedona Principles, Third

- 6. 2:00 to 2:45 – Professor George Shepherd (Emory Law)**
 - a. 2015 discovery amendments inadequate
 - b. Eliminate broad discovery in all cases

- 7. 3:00 to 3:45 – Professor Paula Schaefer (U. Tenn. Law)**
 - a. Negligent spoliation in discovery
 - b. New ways judges, opposing parties, and rulemakers can encourage competent preservation

- 8. 3:45 to 4:15 – Professor Agnieszka McPeak (Toledo Law)**

Ephemeral Apps, such as Snapchat, and the duty to preserve and provide discovery