



The Law Society of
Upper Canada | Barreau
du Haut-Canada

Legal Education Programs



The Ontario e-Discovery Institute: e-Discovery for All Cases and All Lawyers

September 19, 2011 8:30 a.m. – 4:30 p.m.

This unique one-day program is the only e-discovery conference organized jointly by The Sedona Conference®, Sedona Canada and the Ontario e-Discovery Implementation Committee, and co-sponsored by the Law Society of Upper Canada, the Ontario Bar Association, The Advocates' Society and The Canadian Centre for Court Technology. The Honourable Warren Winkler, Chief Justice of Ontario, and Her Honour, Judge Shira Scheindlin, of the United States District Court for the Southern District of New York, will deliver keynote addresses. The format of the conference will be interactive, and the focus will be on practical solutions and cost containment in the e-discovery field.

Chaired by: Kelly Friedman, *Davis LLP*
David Outerbridge, *Torys LLP*

A joint presentation with:



The Ontario e-Discovery Institute: e-Discovery for All Cases and All Lawyers

LOCATION: University of Toronto Residence (Behind City Hall), 89 Chestnut Street, Toronto
or view the live webcast



Total CPD = 7 Substantive Hours + 1 Professionalism Hour
Not accredited for New Members



PROGRAM CHAIRS

Kelly Friedman, Davis LLP



Kelly Friedman is a partner with Davis LLP in the firm's Toronto office. Ms. Friedman specializes in litigation and regulatory law. Her litigation experience includes shareholders' disputes, oppression proceedings, commercial fraud, contract interpretation and class actions. With respect to her regulatory practice, she has particular expertise in the regulation of Ontario's electricity industry before the Ontario Energy Board.

Ms. Friedman's class action experience has spanned the energy, pharmaceutical and securities sectors. She has appeared before all levels of Ontario Courts and before the Supreme Court of Canada.

Ms. Friedman is the current chair of the steering committee of Sedona Canada, the non-profit group responsible for the set of electronic discovery principles which are incorporated by reference into the Ontario Rules of Civil Procedure.

David Outerbridge, Torys LLP



David Outerbridge is Counsel in the Litigation Department at the law firm of Torys LLP in Toronto. He is the Chair of the e-Discovery Implementation Committee, a joint committee of the Ontario Bar Association and The Advocates' Society, whose mandate is to implement best practices relating to electronic discovery in Ontario. David is also Chair of Torys' e-Discovery Committee. He is recognized as an expert on matters involving the law of privilege, electronic discovery, document retention and good document management practices. David speaks and writes frequently on a variety of topics including class actions, electronic evidence, electronic discovery, solicitor-client and litigation privilege, and best practices for document retention. He has appeared as counsel at the Supreme Court of Canada, the Federal Court of Canada and all levels of court in Ontario, as well as in arbitrations.

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Schedule of Events

SEPTEMBER 19, 2011

Welcome and Opening Remarks

8:30 a.m. – 8:40 a.m.

David Outerbridge, *Torys LLP*
Kelly Friedman, *Davis LLP*

Morning Keynote Speaker

8:40 a.m. – 9:10 a.m.

Chief Justice Warren Winkler, *Court of Appeal for Ontario*

Overview of the Latest e-Discovery Developments

9 :10 a.m. – 9 :30 a.m.

The Honourable Colin Campbell, *Superior Court of Justice*
Robert Deane, *Borden Ladner Gervais LLP (Vancouver)*
Brett Harrison, *McMillan LLP*
Kenneth Withers, Director, Judicial Education and Content
The Sedona Conference®

The “How” of e-Discovery: Technological Issues Relating to e-Discovery that Every Litigator Needs to Understand

9:30 a.m – 10:10 a.m.

Dominic Jaar, National Leader eDiscovery and Information Management, *KPMG*
Dera Nevin, *McCarthy Tétrault LLP*
David Wires, LL.M., C.S., *Wires Jolley LLP*

e-Discovery Strategy, Tactics and Procedure when Requesting and Producing Documents

10:10 a.m – 10:55 a.m.

Alexandra Buck, e-Discovery & Technology Counsel
Bartlit Beck Herman Palenchar & Scott LLP (Chicago)
Derek Freeman, *FreemanLaw - Barristers*
Colin Stevenson, *Stevensons LLP*
Thomas Sutton, *McCarthy Tétrault LLP*

Working with the Model Ontario e-Discovery Implementation Committee (EIC) Documents

11:10 a.m. – 11:35 a.m.

Daniel Schwartz, *Lax O’Sullivan Scott Lisus LLP*
Michele Wright, *City of Toronto, Legal Services*

Resolving e-Discovery Disputes: e-Discovery from the Judicial Perspective

11:35 a.m. – 12:30 p.m.

The Honourable David Brown, *Superior Court of Justice*
The Honourable Colin Campbell, *Superior Court of Justice*
Master Calum MacLeod, *Superior Court of Justice*
Hon. Shira Scheindlin, *United States District Judge*

Lunch – Keynote Speaker

“What Proportionality Means for Small Parties and Small Cases”

12:30 p.m. – 1:30 p.m.

Hon. Shira Scheindlin, *United States District Judge*

What is e-Discovery Negligence?

1:30 p.m. – 2:10 p.m.

Karen Groulx, *Pallett Valo LLP*
Glenn Smith, *Lenczner Slaght Royce Smith Griffin LLP Barristers*
Susan Wortzman, *Wortzman Nickle Professional Corporation*

Cost Containment and e-Discovery

2:10 p.m. – 2:50 p.m.

Peter Henderson, *Kramer Henderson LLP*
Kelly Inglese, Director, Litigation Support Services
Fasken Martineau DuMoulin LLP
Susan Nickle, *Wortzman Nickle Professional Corporation*
Melanie Schweizer, *Bell Canada/BCE Inc.*

Privacy, Confidentiality and Privilege issues in e-Discovery

3:10 p.m. – 3:40 p.m.

M. James Daley, *Daley & Fey LLP (Kansas)*
Kathryn Manning, *Blake, Cassels & Graydon LLP*
Regan Morris, Legal Counsel, *Office of the Privacy Commissioner of Canada*

Hot Topics Plenary Session

3:40 p.m. – 4:25 p.m.

Moderators:
Kenneth Withers, Director, Judicial Education and Content
The Sedona Conference®
David Wires, LL.M., C.S., *Wires Jolley LLP*

Closing Remarks from the Chairs

4:25 p.m. – 4:30 p.m.

COCKTAIL RECEPTION Sponsored by Commonwealth Legal

Live in Toronto program delegates are invited to a reception immediately following the conference.





The Ontario e-Discovery Institute: e-Discovery for All Cases and All Lawyers

Monday, September 19, 2011 8:30 p.m. – 4:30 p.m.

TO REGISTER:

Individuals:

Online*: <http://ecom.lsuc.on.ca/cpd>

Fax*: 416-947-5235

Mail: The Law Society of Upper Canada, 130 Queen St. W. 2nd Floor, Toronto, Ontario M5H 2N6

Groups:

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Note: Registrants who attend in person will receive a USB key containing the program materials. Webcast registrants will receive a download of the program materials only. Printed materials will only be available at the program for those who have ordered in advance. Printed materials ordered on the program date will be shipped after the program.

Rates are for single registrations only. Visit website under CPD Policies for group rate information.

***Live Webcast registrations must be received by September 14, 2011**

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We reserve the right to change program content, speakers and locations without notice. Registration fee less \$50.00 plus applicable taxes for a full day and \$25.00 plus applicable taxes for a part day is refundable if cancellation is received five working days before the program. Transfers (e.g. from live attendance to webcast) will not be accepted within two days of program date. Bursary application forms can be found on our website at: <http://ecom.lsuc.on.ca/cle/policies.jsp#bursary> GST/HST # - R# 121712863