

We welcome you to the upcoming 2024 LitForward Innovation Summit to be held in Charlotte, NC from October 1-3, 2024. This invitation-only Summit will bring together litigation and eDiscovery thought leaders from leading corporations and law firms for two days of pragmatic discussions regarding the benefits and risks of emerging technology and process solutions.

The Summit is designed to facilitate small group discussions among peers – sharing knowledge, perspectives, and creative ideas across a variety of engaging topics. Summit participants arrive from a diverse set of organizations, roles, and experiences. Some participants regularly find themselves at the bleeding edge of technological innovation, while others remain a bit more cautious (yet curious about what the future may hold).

The sessions will address some of the most interesting (and perplexing) issues facing modern litigants. Each session will provide cutting edge approaches that remain pragmatic and possible. The discussions will cover the latest in emerging technologies without losing focus on the workflow designs and human aspects critical to success. To facilitate these discussions, we are excited to have a group of the most thoughtful, innovative, and respected legal strategists and technologists.

Below you can find a summary of the planned sessions to give you a preview of the Summit and allow you to ponder your own questions, ideas, and perspectives.

LOCATION

Hosted at the Kimpton Tryon Park Hotel in Charlotte, NC, a short 15-minute ride from Charlotte Douglas International Airport. This uptown boutique hotel has taken a decidedly different approach to Southern hospitality. We invite you to take part in the culture of Uptown Charlotte, where the buzzing energy of a major city blends with alluring charm and a warm welcome.

COST

Conference registration, event meals, and hotel accommodations are compliments of LitForward. For those with corporate gifting policies, LitForward provides alternative solutions to ensure compliance. Please reach out to litforward@tcdi.com.

FORMAT

The majority of the sessions at the LitForward Summit are designed to kick-off with a leading practitioner setting the stage on the topic and then leading us into a wide-ranging group discussion – sharing ideas and perspectives. The focus on each session is on emerging (yet pragmatic) approaches to complex litigation and eDiscovery challenges.

AGENDA

<Tuesday, October 1st>

600p-900p - Opening Rooftop Dinner Reception

<Wednesday, October 2nd>

830a-915a – Breakfast

915a-930a – Welcome and Introductions

930a-1015a – Session 1: AI Governance: Managing Risk and Opportunity

As organizations race to leverage the possibility of emerging generative AI technologies across business units, Law Departments valiantly try to keep pace. This session explores how organizations are leveraging new (and old) policies, programs, teams and technologies to ensure sustainable AI governance strategies to mitigate compliance and litigation risks.

Session Leaders:

- David Moncure, Principal, Crowe - Chair Emeritus of the Sedona Conference Working Group on Data Security & Privacy Liability; experienced in-house eDiscovery and information governance counsel (DaVita, Inc. and Shell plc)
- James Sherer, Partner, BakerHostetler - Co-leader of BakerHostetler's Emerging Technology team; named a 2024 AI Visionary by Relativity; experienced in-house litigation and eDiscovery counsel (Dow Chemical)

1015a-1100a – Session 2: The Latest eDiscovery Trends from the Plaintiffs' Bar

For many matters, corporate litigants face a plaintiffs' bar that has fine-tuned discovery strategies. From extremely broad and burdensome discovery requests to the ever-present threat of sanctions motions, navigating an increasingly sophisticated plaintiffs' bar can be a real challenge. This session leads us through where plaintiffs are being difficult and where they are (sometimes) being reasonable, where plaintiffs face their own discovery challenges, and what types of discovery disputes are still most likely to head to motion practice.

Session Leader:

- Michelle Six, Of Counsel, Gunster - Co-leader of Gunster's eDiscovery practice group; named a 2023 AI Visionary by Relativity; ranked by Chambers Global as a leader in eDiscovery and Information Governance

1100a-1130a – Morning Break

1130a-1245p – Session 3: genAI for Litigation: A Tech Founders' Roundtable

Roll up your sleeves, it is time to geek out on all things genAI for litigation. This session will take us under the hood with technologists that have each built generative AI solutions for everyday litigation challenges. They will walk us through what is possible today and how the rapid pace of tech development continues to reset what may be possible tomorrow. They will keep us grounded in the pragmatic essentials: ensuring data security, understanding the impact of different language models (large and small), and how to best measure and manage quality and throughput.

Session Leaders:

- David Gaskey, Founder and CEO, Altumatim – Experienced intellectual property litigator; “Impact Case of the Year” award in 2020 from IP Management; engineer, technologist, founder
- Sergio Suarez, Jr., Founder and CEO, TackleAI – Recipient of Latino Founders Fund-Google for Startups; experienced software engineer and CTO
- Jim Sullivan, Founder and Product Lead, eDiscoveryAI – Attorney; eDiscovery strategist and technologist; author “The Book on AI Doc Review: A Simple Guide to Understanding the Use of AI in eDiscovery”

1245p-145p - Lunch

145p-230p - Session 4: *Global Matters, Cross-Border Data Flows: Unique Challenges and Considerations*

Managing discovery for complex matters is challenging enough – but for multi-national organizations dealing with the additional hurdles of cross-border data flows can place litigants between the proverbial rock and a hard-place. This session leads us through the ways that organizations can navigate such demands for cross-border production and countervailing foreign data protection regulations.

Session Leader:

- Denise Backhouse, Shareholder & eDiscovery Counsel, Littler – Founding member, International Data Law Association; founding director, Cardozo Data Law Initiative; ranked by Chambers USA as a leader in eDiscovery and Information Governance

230p-315p - Session 5: *TCDI Tech Lab: A Year of Exploration and Innovation*

Integrating AI and other emerging technologies into legal processes requires precision and foresight. The TCDI Tech Lab was founded specifically for the evaluation and validation of new technologies that are optimized to address real-world challenges. The Tech Lab is driven by a commitment to Lean Six Sigma (LSS) principles and a spirit of continuous improvement. This session brings us along on a year in the life of the Tech Lab’s journey and how that experience informs its path forward.

Session Leaders:

- Caragh Landry, Chief Legal Process Officer, TCDI – TechLab Co-Director
- Dave York, Managing Director, Litigation Services, TCDI - TechLab Co-Director

315p-345p – Afternoon Break

345p-430p - Session 6: *Perfecting Privilege Logging: A Search for Fairness and Efficiency*

Few things in litigation present more pitfalls and frustration for litigants (and judges) than privilege designations, privilege logging, and privilege disputes. These challenges are not new, but in many ways they have only become more profound as communications proliferate across a wide array of tools both formal and informal. This session offers us a perspective on current efforts to bring more reasonableness and proportionality to the privilege process, a review of evolving judicial approaches, and insight into the emergence of automated and genAI-enabled privilege processes.

Session Leader:

- Jonathan Redgrave, Partner, Redgrave LLP – Chair Emeritus of The Sedona Conference Working Group on Electronic Document Retention and Production; member of the Georgetown University Law School eDiscovery Institute Advisory Board; recognized as a Leading eDiscovery Partner by Legal500; ranked by Chambers USA as a leader in eDiscovery and Information Governance

600p-800p – Evening Activities (choose to attend Charlotte FC MLS soccer game or an evening museum tour)

<Thursday, October 3rd>

830a-915a – Breakfast

915a-1000a - Session 7: Protective Orders and ESI Protocols: Trends, Tips, and Traps

Protective orders and ESI protocols typically set forth the landscape of how discovery will proceed in a matter. In practice, the negotiation of these documents often takes place long before the scope of discovery for the matter is really understood. This session guides us through the current battlelines in negotiating these provisions, what needs to be delineated, and what items may be best without premature definition and limitation.

Session Leader:

- Travis Bustamante, Partner, Nelson Mullins – Recognized as a Next Generation eDiscovery Partner by Legal500; ranked by Chambers USA as a leader in eDiscovery and Information Governance

1000a-1045a - Session 8: Handling Emerging eDiscovery Data Sources

From collaboration tools (Slack, Zoom, Teams) to genAI assistants (Copilot, Gemini) to modern attachments/linked files – there is always something new in the world of eDiscovery. This session navigates the issues and options for handling such emerging data sources from both technical and legal perspectives.

Session Leaders:

- Aulden Burcher-DuPont, Partner, Kirkland & Ellis – experienced in-house counsel (Rent the Runway, Peloton Interactive, Tapestry); recognized by Legal500 in eDiscovery
- Nathan Stein, Senior Attorney, DLA Piper – Recognized by Legal500 in eDiscovery; The Sedona Conference, Member of Working Group 1 (Electronic Document Retention and Production) and Working Group 6 (International Electronic Information Management, Discovery and Disclosure)

1045a-1115a – Morning Break

1115a-1200p – Session 9: eDiscovery Innovation: The Promise and Peril of Trying New Things

At its heart, “innovation” is a leap – crossing a divide into uncharted territory. In eDiscovery practice, we deploy new approaches to save time, to save money, and, sometimes, because our current technologies and current workflows just aren’t enough to solve the problem. Often innovation is an everyday necessity – solve the problem, figure it out.

This session closes our Summit by taking a step back and looking at the “how” of innovation. How do we venture into that uncharted territory while managing risks, costs, and timelines? How do we turn Band-Aid solutions into scalable and repeatable ones? And how do we convince clients, courts, and even opponents that a novel approach can ever be appropriate and defensible?

Session Leader:

- Rose Hunter Jones, Partner & eDiscovery Practice Leader, King & Spalding – Finalist, for the Financial Times Innovative Lawyers North America Awards; named a 2024 “Top Legal Innovator” by Daily Report; recognized as a Leading eDiscovery Partner by Legal500; ranked by Chambers USA as a leader in eDiscovery and Information Governance

1200p-100p – Closing Lunch

MORE ABOUT THE LITFORWARD CENTER FOR TECHNOLOGY, RESEARCH, AND ANALYSIS

For 35 years TCDI has been at the forefront in charting the course through unmapped seas to solve our clients’ most complex litigation data challenges. During that time one thing has remained constant, the continuous cycle of listening and understanding our clients’ needs to find solutions that do not just need their needs of today but that are targeted to meet them where they will be tomorrow and for years to come.

Today we are truly at an inflection point regarding litigation technologies and the ways in which those technologies can be leveraged within efficient and defensible workflows by savvy legal and technical professionals. To meet those needs of today and tomorrow we have formed the LitForward Center for Technology, Research and Analysis.

The LitForward Center works in close parallel with TCDI’s current client collaboration and innovation processes but also brings in new voices and perspectives as we scan the horizon for the best solutions of tomorrow. The Center serves as an incubator for the evaluation and testing of new technologies (whether developed internally by TCDI or via our numerous external partnerships). Above all, the LitForward Center is a vehicle for exploration – of emerging technologies that bring a meaningful benefit to our clients, of the new workflows that enable those technologies to be executed in an efficient and defensible manner, and of the human expertise necessary to deliver results that meet and exceed our clients’ high standards of excellence.