



EDISCOVERY AND KNOWLEDGE MANAGEMENT

WHEN IT COUNTS

Even before the recent amendments to the Federal Rules of Civil Procedure governing discovery of electronically stored information (ESI), Barnes & Thornburg LLP attorneys regularly consulted with clients and outside attorneys on discovery issues related to ESI. Barnes & Thornburg's litigation support group regularly meets with vendors and evaluates products and processes to provide value added services to our clients in the collection, review and production of ESI.

The services provided by Barnes & Thornburg's attorneys surrounding ESI include:

- Drafting discovery responses and objections with information mandated by the new rules, such as form of production, identification of sources of ESI that are -not reasonably accessible,- and other issues related to the new rules.
- Consulting with businesses regarding what sources of ESI they have that should be considered -not reasonably accessible- and working on a strategy for proving that, if challenged.
- Consulting with businesses on preservation obligations and strategies for Rule 26(f) conferences, which now require discussion on preservation of documents and ESI.
- Drafting -litigation holds- and consulting with businesses on procedures for implementing a compliant litigation hold, including evaluating types of litigation and helping with guidelines for when to issue a litigation hold for particular types of litigation.
- Briefing on e-discovery issues, including motions for protective

Why Barnes & Thornburg?

Finding new ways to help clients identify solutions and new business opportunities, across industries, is at our core. We are, at times, more than lawyers, we are advisers bringing new ideas to light. We understand what keeps you up at night and work collaboratively to find practical and creative solutions, at the heart of business.

RELATED PRACTICES

Litigation

orders and responses to motions to compel.

- Preparing draft case management orders and rule 26(f) reports.
- Working with IT personnel and others on support for -undue burden or cost- objections under the new rules, including preparing affidavits and identifying and preparing corporate witnesses to provide testimony supporting the company's positions.
- Working with businesses and their in-house counsel on how best to retrieve, review and produce ESI.
- Coordinating discovery in national and regional litigation to provide a uniform, cost effective, and efficient approach to discovery of ESI and other discovery.

Barnes & Thornburg attorneys also regularly consult with businesses regarding their record retention policies and the implementation and effective use of those policies. These services range from drafting policies, to review of existing policies, to advice concerning implementation of record retention policies. Often Barnes & Thornburg attorneys work as part of an integrated team that may include in-house counsel, IT professionals, records coordinators and other employees with ownership of record retention responsibilities.

Practice Leaders



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