



To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, ...

ABA Model Rules Comment #8 on Rule 1.1 Competence



Maintaining competence

To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, engage in continuing study and education, including an understanding of the benefits and risks associated with the use of technology, and comply with all continuing legal education requirements to which the lawyer is subject.



- Initially assess e-discovery needs and issues, if any;
- Implement/cause to implement appropriate ESI preservation procedures;
- Analyze and understand a client's ESI systems and storage;
- 4. Advise the client on available options for collection and preservation of ESI;
- Identify custodians of potentially relevant ESI;
- Engage in competent and meaningful meet and confer with opposing counsel concerning an e-discovery plan;
- 7. Perform data searches;
- 8. Collect responsive ESI in a manner that preserves the integrity of the ESI; and
- 9. Produce responsive non-privileged ESI in a recognized and appropriate manner.

http://www.calbar.ca.gov/Attorneys/Sections/Litigation/Publications/California-Litigation-Review/E-Discovery-Skills



What happens in an INTERNET MINUTE?





- Less than 0.5% of all data we create is ever analyzed and used;
- 73% of organizations have already invested or will invest in big data by the end of 2016;
- A 10% increase in data accessibility will result in more than \$65 million additional net income for the typical Fortune 1000 company.
- By 2020, there will be more than 50 billion smart connected devices in the world, collecting, analyzing and sharing data;
- In 2015, an estimated 1 trillion photos were taken and billions of them will be shared online,
- By 2017, nearly 80% of photos will be taken on smart phones and most will become searchable data;
- We perform 40,000 search queries every second on Google alone, 1.2 trillion searches per year;
- By 2020, about 7 megabytes of new information will be created every second for every human on the planet;
- Bad data costs US businesses alone \$600 billion annually;
- Big data will drive an estimated \$232 billion in spending in 2016.
- 70% of data is created by individuals, but enterprises are responsible for storing and managing 80% of that.

https://www.ediscovery.co/ediscoverydaily/electronic-discovery/date-fun-facts-big-data-ediscovery-trends/

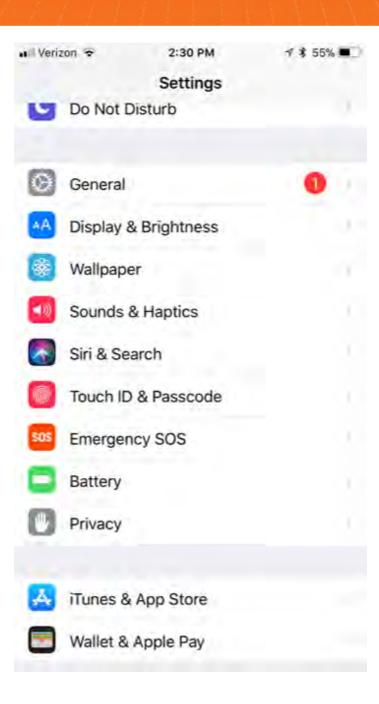




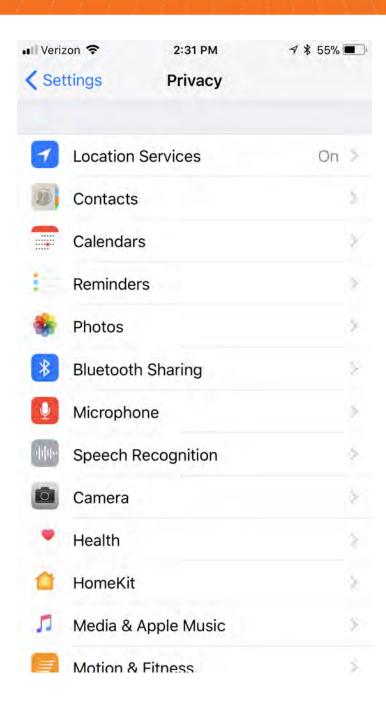




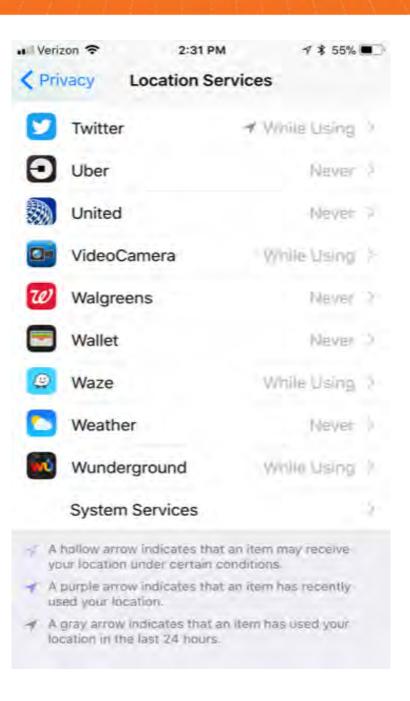




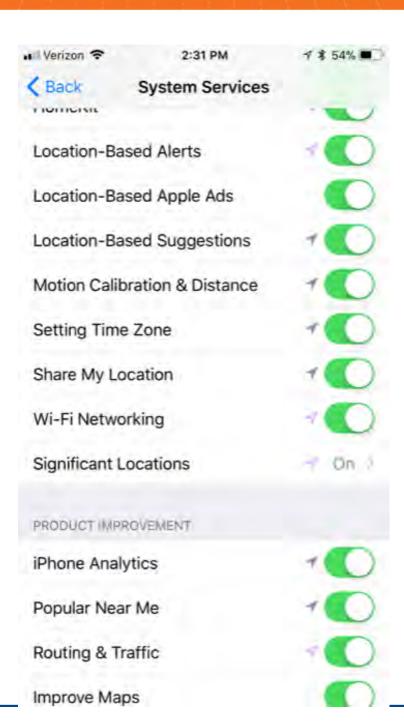




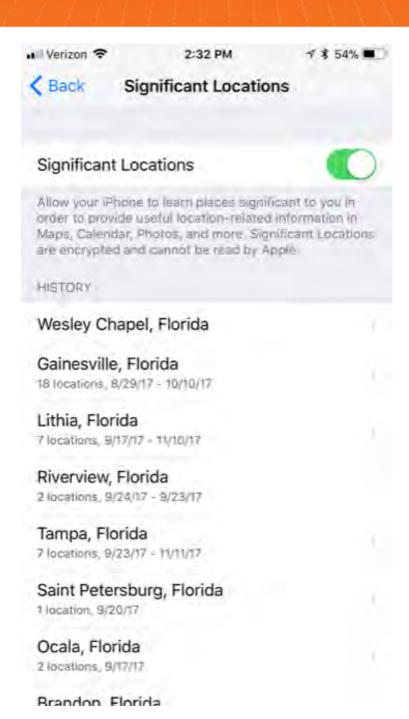




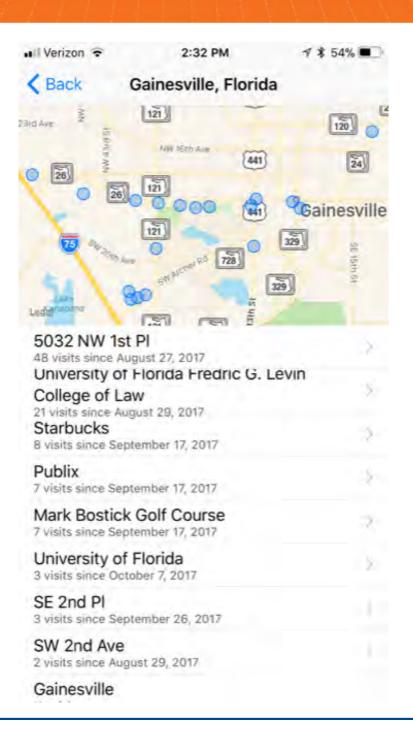




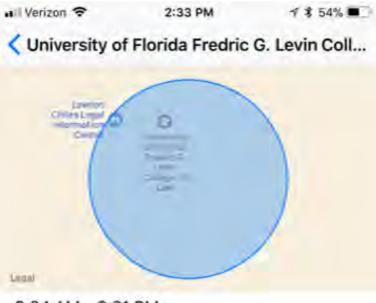












9:34 AM - 2:31 PM

9:03 AM - 12:49 PM

12:14 PM - 2:05 PM

7:35 PM - 7:58 PM

8:53 AM - 3:20 PM

11:10 AM - 1:28 PM 10/4/17

2:53 PM - 4:13 PM 10/3/17

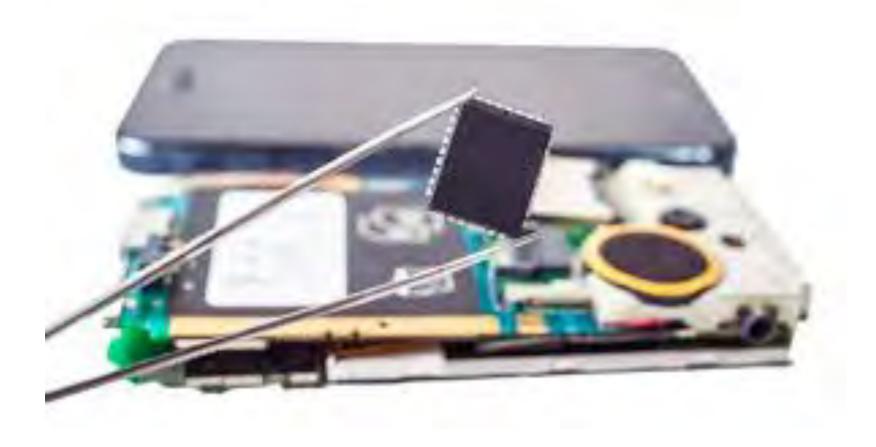
7:53 AM - 1:13 PM 10/3/17

9:07 AM - 5:51 PM

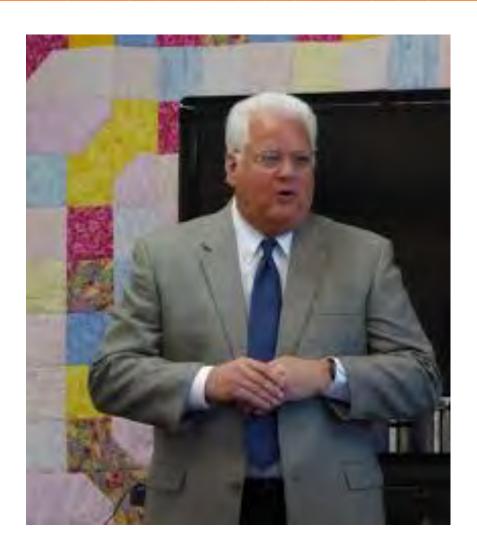












The League of Women Voters v. Detzner, 179 So. 3d 258 (Fla. 2015)





UnitedHealthcare of Florida v. Am. Renal Ass., 2017 US Dist. Lexis 174454



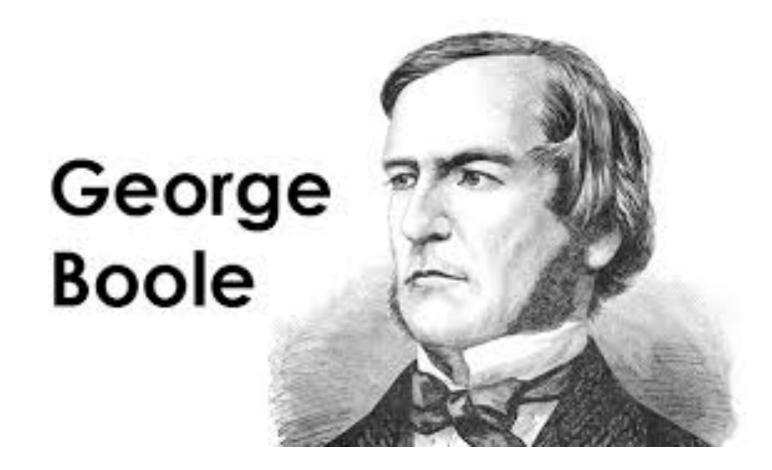
"[The Court expects counsel] to run those search terms and engage in sampling to see if the search terms are producing responsive documents or excessive irrelevant hits, and then to continue to refine the search terms in a cooperative, professional effort until the search terms are appropriately refined and produce relevant documents without including an excessive number of irrelevant documents."



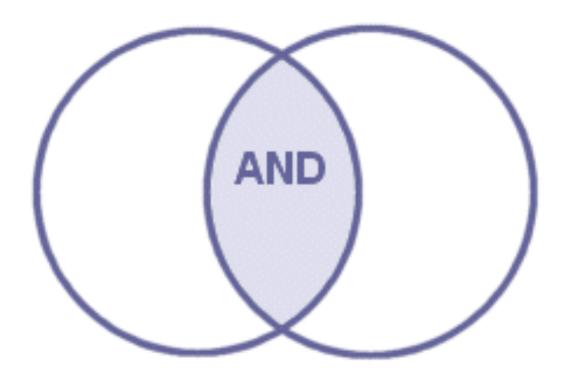


Wooden v. Barringer, 2017 U.S. Dist. LEXIS 183170







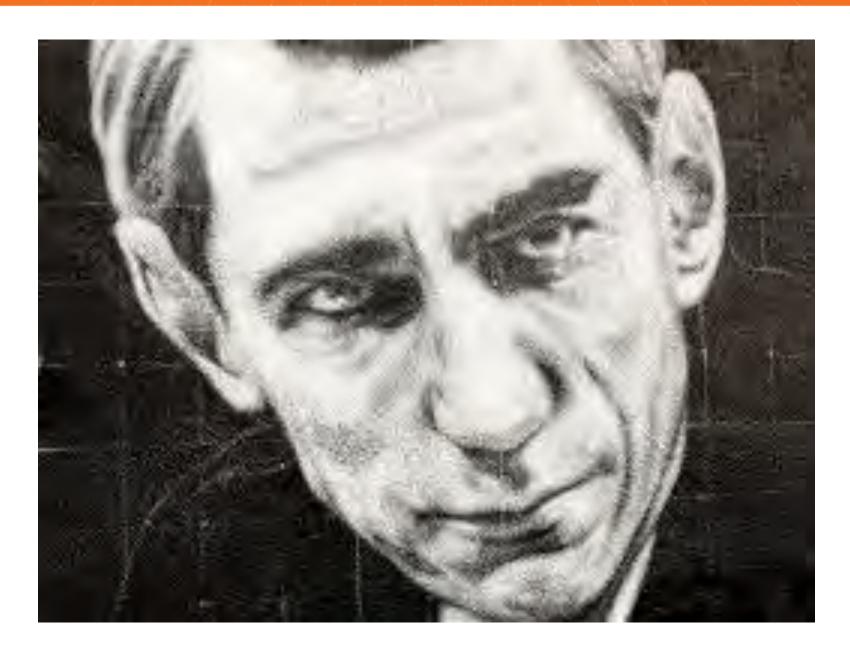




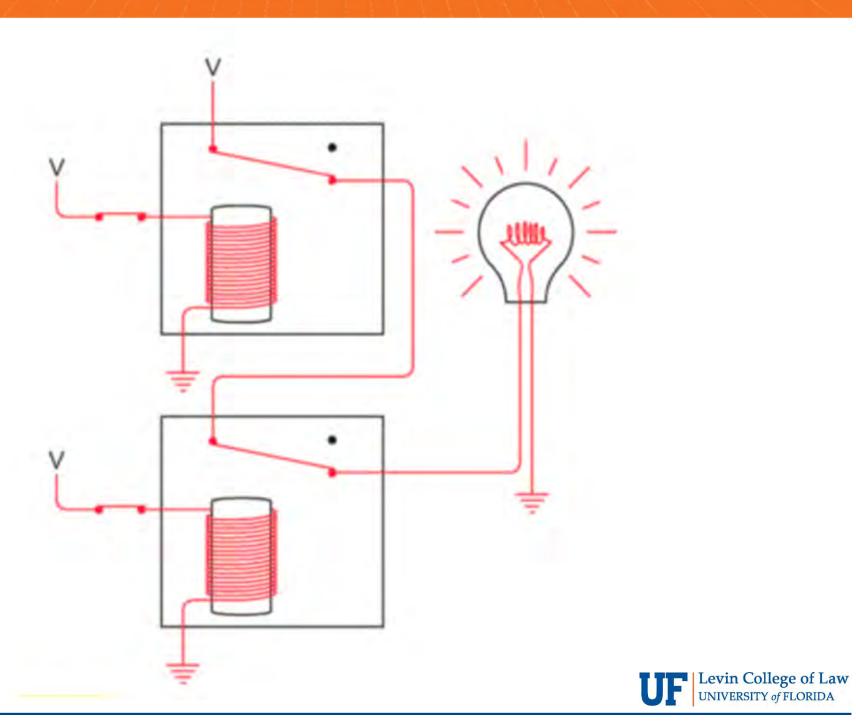
P	Q	P and Q
Т		Т
Т	F	F
F	Т	F
F	F	F

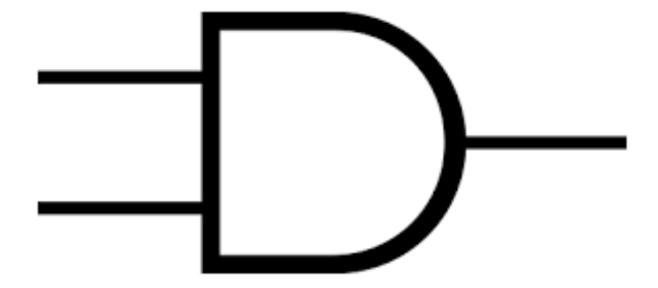
From this proposition it will follow, when arithmetical addition has been defined, that 1+1=2.



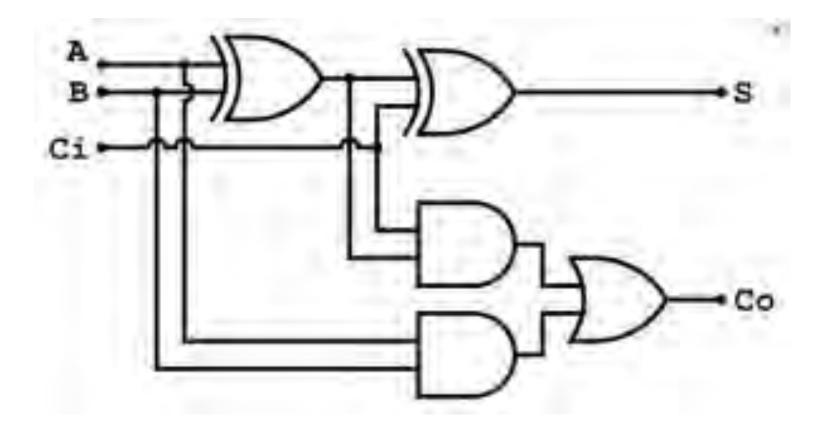
















ASCII Code: Character to Binary

0	0011	0000	0	0100	1111	m	0110	1101
1	0011	0001	P	0101	0000	n	0110	1110
2	0011	0010	Q	0101	0001	0	0110	1111
3	0011	0011	R	0101	0010	P	0111	0000
4	0011	0100	S	0101	0011	q	0111	0001
5	0011	0101	T	0101	0100	r	0111	0010
6	0011	0110	σ	0101	0101	s	0111	0011
7	0011	0111	v	0101	0110	t	0111	0100
8	0011	1.000	W	0101	0111	u	0111	0101
9	0011	1001	X	0101	1000	v	0111	0110
A	0100	0001	Y	0101	1001	w	0111	0111
В	0100	0010	2	0101	1010	30	0111	1000
C	0100	0011	В.	0110	0001	Y	0111	1001
D	0100	0100	b	0110	0010	z	0111	1010
E	0100	0101	C	0110	0011	- 4	0010	1110
F	0100	0110	đ	0110	0100	14	0010	0111
G	0100	0111	e	0110	0101		0011	1010
H	0100	1000	£	0110	0110		0011	1011
1	0100	1001	g	0110	0111	?	0011	1111
J	0100	1010	h	0110	1000	1	0010	0001
K	0100	1011	Í	0110	1001	1	0010	1100
L	0100	1100	j	0110	1010	10	0010	0010
M	0100	1101	k	0110	1011	(0010	1000
N	0100	1110	1	0110	1100).	0010	1001
						space	0010	0000

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000009F0:
000000A00:
          4 52 41 46 54 20 34 2F
00000010: 89 09 0D 0D 0D 55 6E 69 76 65 72
                                           73 69
00000A20:
            66 20 46 6C 6F 72 69 64 61 20
                                           20 0D 43 6F
            65 67 65 20 6F 66 20 4C 61 77
                                           9D
                                              43 6F
                                                    60
             65 78 20 4C 69 74 69 67 61 74 69 6F 6E
000000A40:
000000A50:
                   73 65
                         20 53 79 60 60 61 62
                     75 72 73 65 3A 20 43 6F 6D 70 6C 6
00000A60:
          0D 0D 43 6F
000000A70:
            20 4C 69 74 69 67 61 74 69 6F 6E 0D
          20 20 46 61 6C 6C 20 53 65 6D 65 73 74 65 72
         82 30 31 37 0D 0D 43 6C 61 73 73
000000A90:
                                           20
                                              54 69 60
          BA 20 20 54 75 65 73 64 61 79 20
                                           31 39 3A
00000AB0:
         20 96 20 31 31 3A 34 30 3B 20 52 6F 6F 6D
          84 35 0D 0D 4F 66 66 69 63 65 20 48 6F 75 72
00000AC0:
00000AD0: BR 20 54 75 65 73 64 61 79 73 20
                                           31 3A
                                                 39
00000AE0: 50 4D 20 96 20 33 3A 30 30 20 50 4D 2E 20 41 6
00000AF0: 64 69 74 69 6F 6E 61 6C 6C 79 2C
                                           20
                                              61 6E 20
00000B00: 0 70 6F 69 6E 74 6D 65 6E 74 20 6D 61 79 20 6
000000B10:
         65 20 72 65 61 64 69 6C 79 20 73 63 68 65 64
00000B20: BC 65 64 20 66 6F 72 20 6F 74 68 65 72 20 64 6
          79 73 20 61 6E 64 20 74 69 6D 65
00000B30:
                                           73
                                              20 62
00000B40:
          53 6F
               6E 74 61 63 74 69 6E 67 20 74 68 65 20 6
000000B50:
            73 74 72 75 63 74 6F 72 2E 20 56
                                              69 54 65 6
          3 6F 6E 66 65 72 65 6E 63 65 73 20 2D 2D 69 6
00000B60:
00000B70: 64 69 76 69 64
                         75 61 6C 6C 79 20 6F
                                                 20
         0 67 72 6F 75 70 73 2D 2D 20 77 69
                                              74 68 20
00000B90:
          88 65 20 69 6E 73 74 72 75 63 74 6F 72 20
00000BA0:
         55 20 65 6E 63 6F
                            75
                               72 61 67 65 64
                                              2E
            73 74 72 75 63 74 6F 72 3A 0D 0D 57 69 6C
00000BB0:
00000BC0: 59 61 6D 20 46 2E 20 48 61 6D 69 6C 74 6F 6E 0
               65 67 61 6C 20 53 6B 69 6C
00000BD0: 00 4C
                                           5C
                                              73
            66 65 73 73 6F 72 20 61 6E 64 20
                                              0D 45 78
000000BE0:
00000BF0: $3 75 74 69 76 65 20 44 69 72 65 63
                                              74 6F 72 0
          9 6E 74 65 72 6E 61 74 69 6F 6E 61 6C 20 43 6
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DRAFT 4/27/2017.Universitu of Florida .Col lege of Law.Comp lex Litigation C ourse Syllabus.. ..Course: Comple × Litigation ... Fall Semester 2017..Class Time Tuesday 10:00 . 11:40; Room 3 45..Office Hours : Tuesdays 1:00 PM . 3:00 PM. Ad ditionally, an a ppointment may b e readily schedu led for other da us and times bu contacting the I nstructor. Video conferences -- in dividually on in groups-- with t he instructor ar e encouraged...! nstructor: ..Will iam F. Hamilton. Legal Skills Pr ofessor and .Exe cutive Director. International Ce

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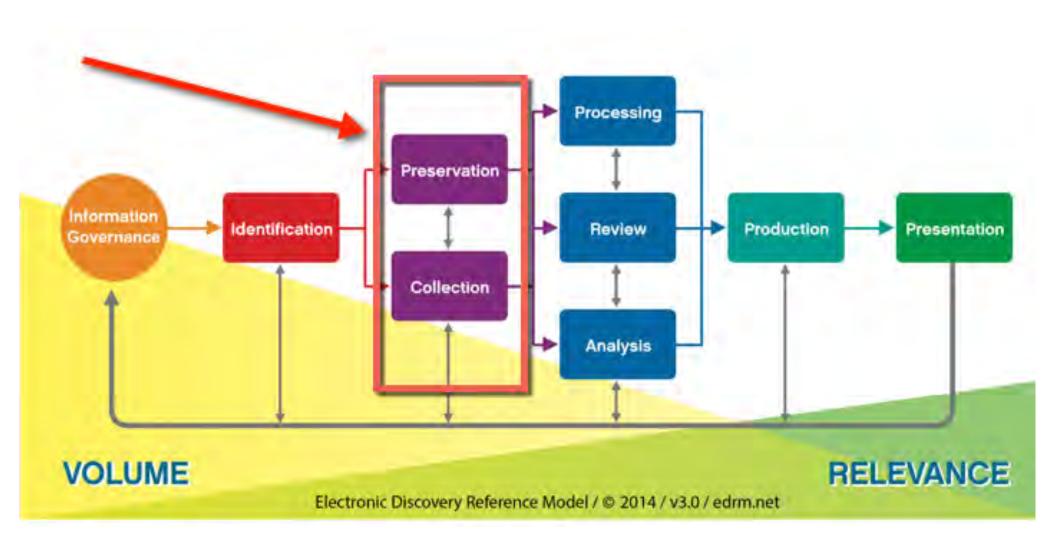




3bf21b1f2d314281e8222adeac290cb9

aacd13a9052a69e2d7db28b840f22baf







Pictures, documents, presentations, sounds, messages, databases, powerpoints, excel, spreadsheets, web pages, video, text, logs, chats,

Desktop, backup, discs, flash, USB, servers (web, email, files), tablets, smartphones,.....

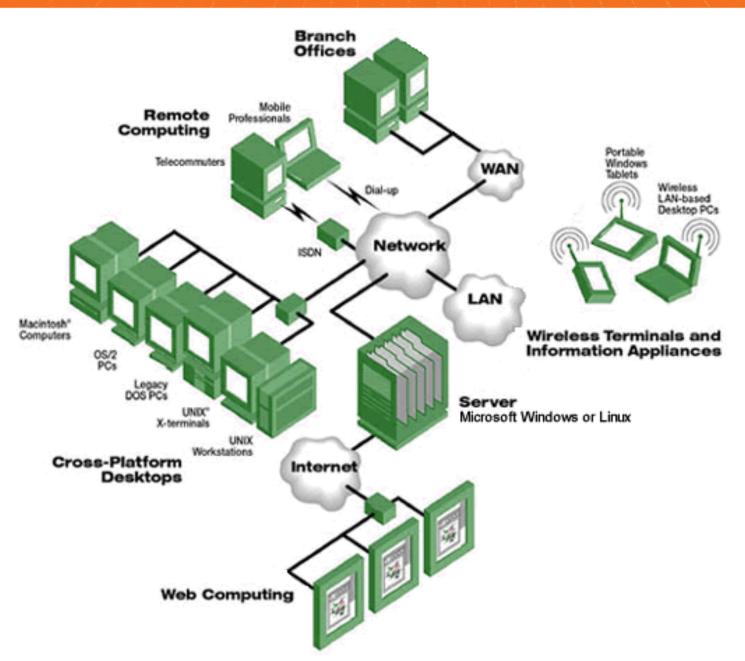






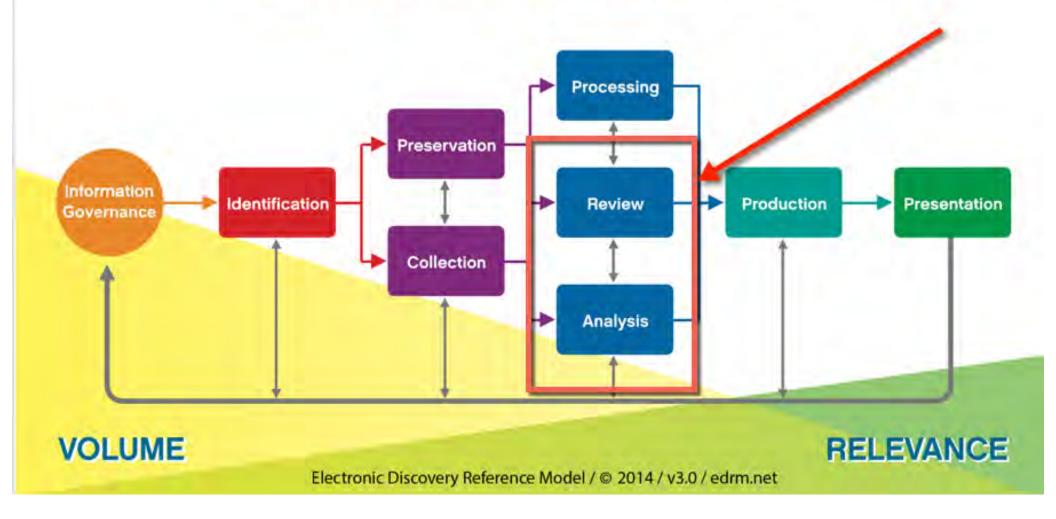
Company XYZ Data Map							
Data Type	Responsible	Online Data	Nearline Data	Offline Data	Inaccessible	Retention Policy	Information last updated
Email	Ted Brown	Exchange Server 2010 (SERVER1 - Phoenix	Email archiving system (SQLSRVR6), emails from 1	Daily backup tapes - Exchange Server -Server	Email backup tapes Lotus	Retain for 5 years	12/20/11
		location) - email up to 1 year old	January 2008 until present	room - Phoenix location, email 2005-2008	Domino 2004-2005		
Voice mails	Ted Brown	Exchange Server 2010 (SERVER1 - Phoenix	Email archiving system (SQLSRVR6), emails from 1	Daily backup tapes - Exchange Server - Server	Email backup tapes Lotus	Retain for 5 years	12/20/11
		location) - email up to 1 year old	January 2008 until present	room - Phoenix location, email 2005-2008	Domino 2004-2005		
CRM System	Eric Hamm	CRM application (SERVER2 Los Angeles location).	Online Backup Store from 5 February 2010	Daily backup tapes - Server room - Los Angeles	Backup tapes from legacy	Retain for 5 years	11/15/11
		All up to date customer and supplier records.		location, backups 2008-2010	system 2001- 2008.		
Faxes	Ted Brown	Exchange Server 2010 (SERVER1 - Phoenix	Email archiving system (SQLSRVR6), emails from 1	Daily backup tapes - Exchange Server - Server	Email backup tapes Lotus	Retain for 5 years	12/20/11
		location) - email up to 1 year old	January 2008 until present	room - Phoenix location, email 2005-2008	Domino 2004-2005		
Documents	Derek Lawson	Microsoft SharePoint (SHARESRVR4 - Phoenix	Online Backup Store from 5 February 2010	Daily Backup tapes from 2008-present	Backup tapes from legacy	Retain for 5 years	12/8/11
		location)			system prior to 2008.		
Website	Sonia Mint	Content Management System (CMSSRVR3- Los	Online Backup Store from 5 February 2010	Monthly backup tapes 2006-2010	Legacy website files 2004-2006	Retain for 5 years	12/25/11
		Angeles location) - current website					
Accounting	Bob Jones	Accounting System from 1 January 2011	Online Backup Store from 5 February 2010	Daily backups 2001 - present Server room - Los		Retain for 10 years	12/25/11
		(FILESRVR5 - Los Angeles location)		Angeles location.			
Mobile devices	Ted Brown	On devices	Online Backup Store from 5 February 2010	Backup tapes 2007-2010		Retain for 5 years	8/30/11
Laptops	Ted Brown	On devices	Online Backup Store from 5 February 2010	Backup tapes 2007-2010		Retain for 5 years	8/30/11
Online Data: Data	a is immediately a	accessible					
Nearline Data: Re	ecovery effort is n	ninimal					
Offline Data: Rec	overy effort is co	nsiderable					
naccessible Data	: Recovery is clos	e to impossible					
dapted from: http://w	ww.google.com/url?sa	t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CGsQFjAA&url=	http%3A%2F%2Fwww.policypatrol.com%2Fdocs%2Fediscovery-data-n	nap.xls&ei=Uf7gTpGkGu6osALnzozdBg&usg=AFQjCNEbuxjLJnSZTGh	nHWMDstL8-wCZDkg&sig2=q-BdguwInptCHb5	uvKFavQ	





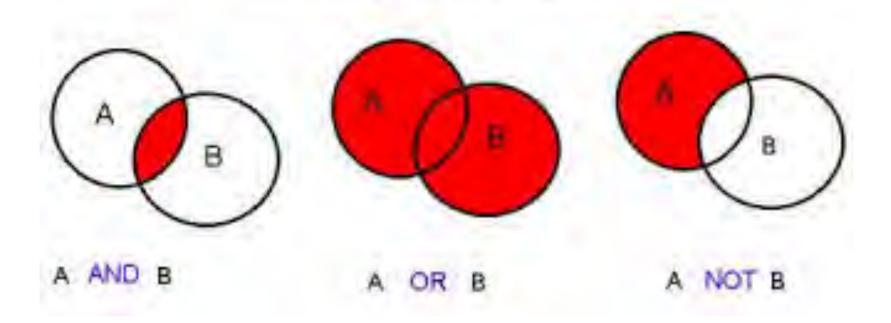


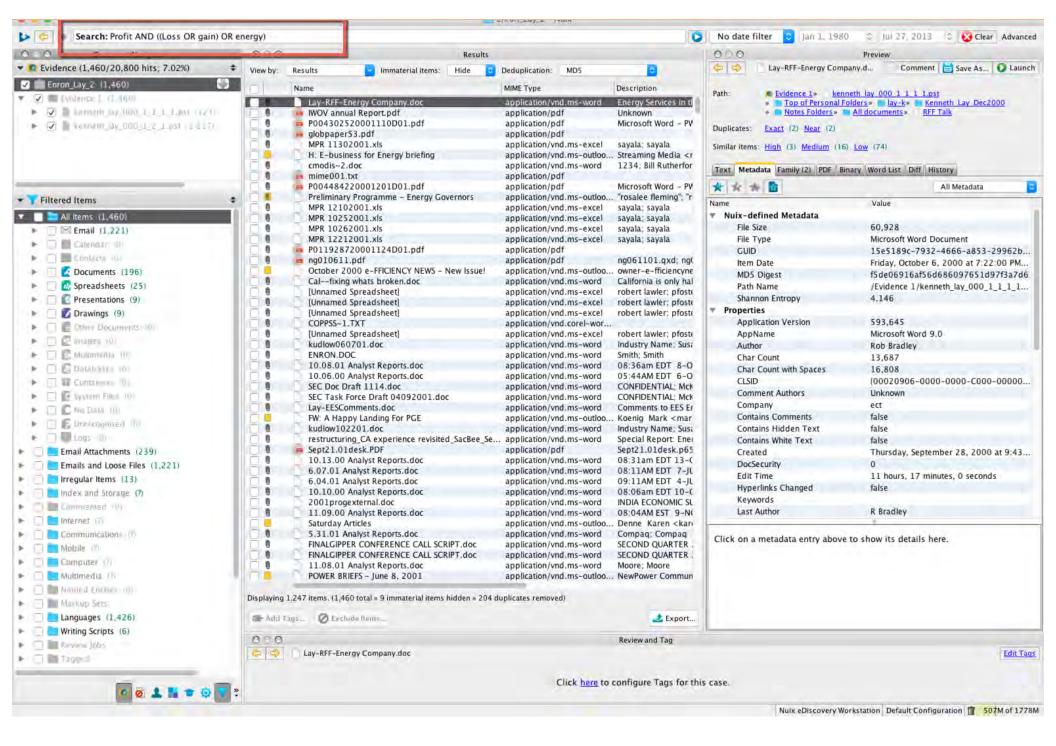
Electronic Discovery Reference Model



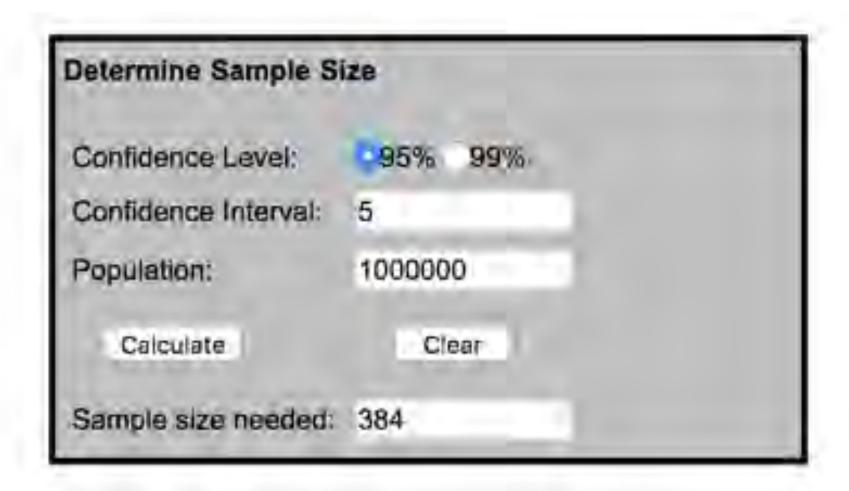


BOOLEAN OPERATORS



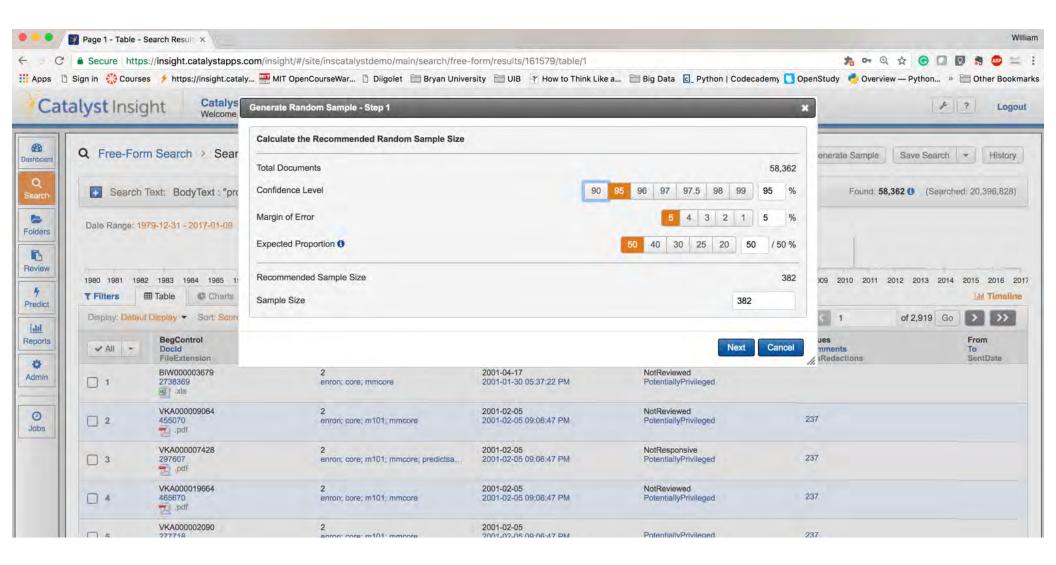




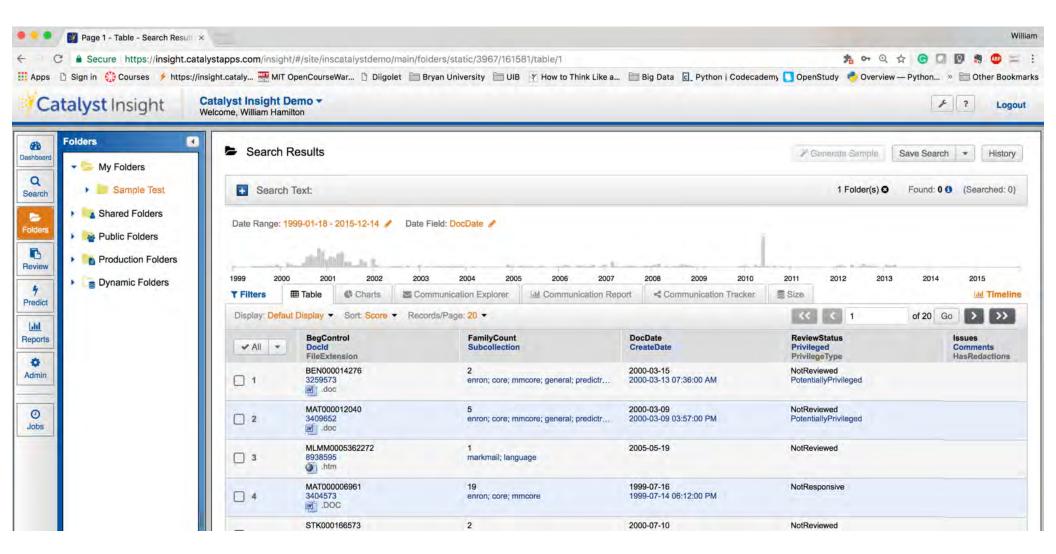


https://www.surveysystem.com/sscalc.htm



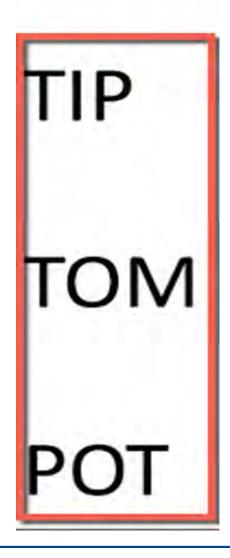












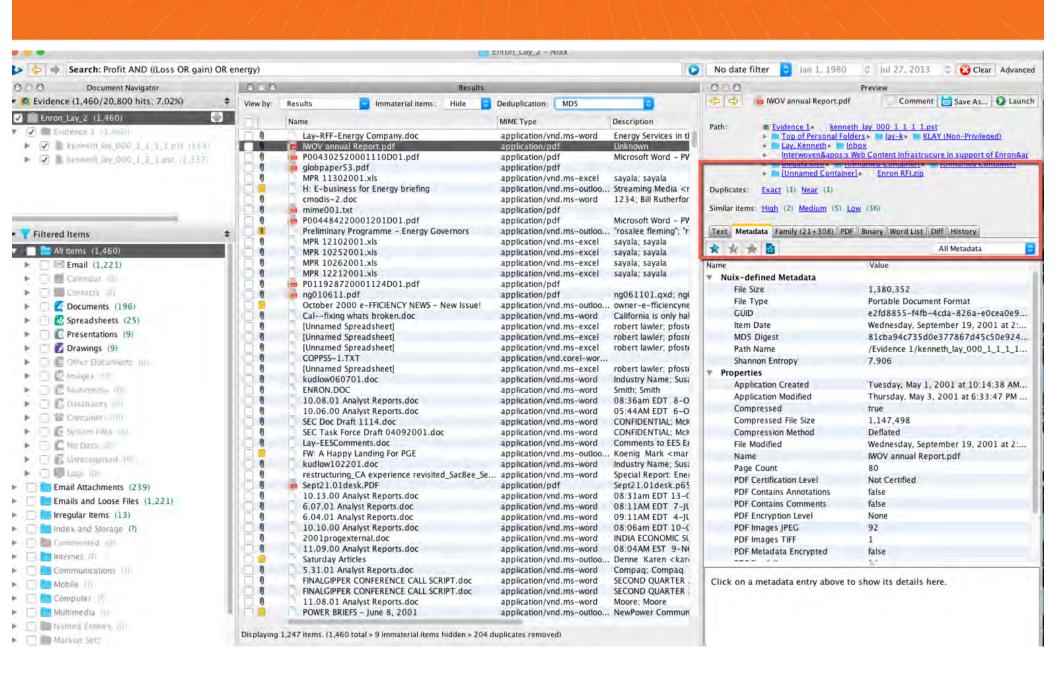






profinder







The University of Florida is a great law school.

1. Take out "stop" words.
University Florida great law school

2. Create shingles.

University Florida great Florida great law great law school

3. Run through the document collection: 90%, 80%, 70% similar.

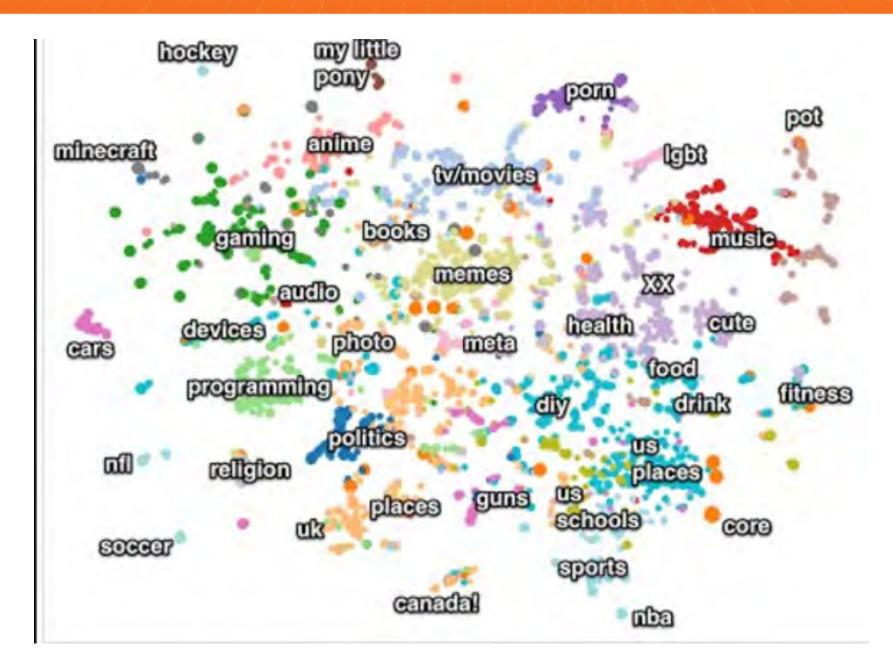


 $\mathsf{tf}_{\mathsf{x},\mathsf{y}} \times \mathsf{log}\left(\frac{\mathsf{N}}{\mathsf{d}\mathsf{f}_{\mathsf{x}}}\right)$

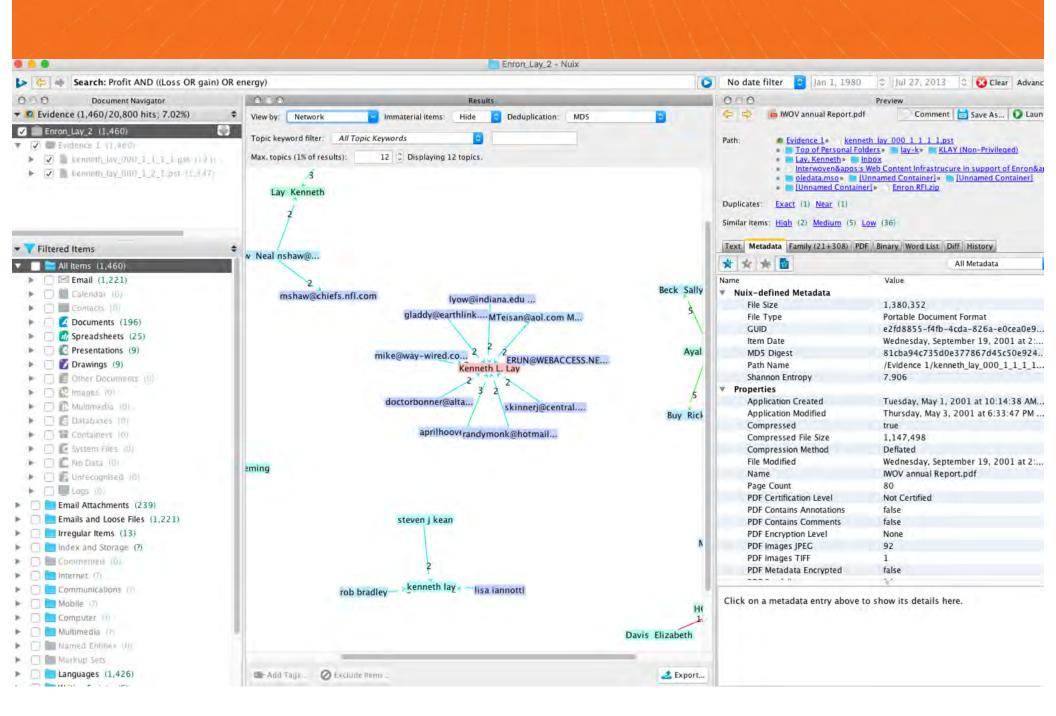
Search for keywords: law AND school AND Florida

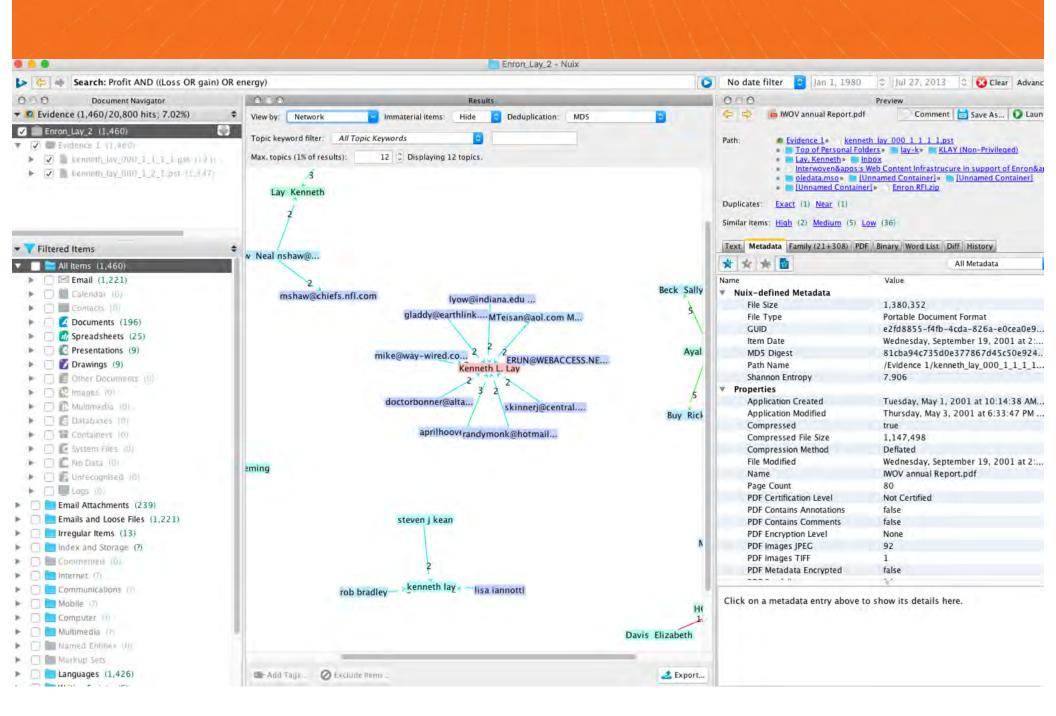
- 1. How many documents contain "law" and how many times in each document? In Document A law apps 5 times. In the collection of 10,000 documents "law" appears in 100. Value of document A for law is $5 \times Log(10,000/100) = 5 \times Log(100) = 5 \times 2 + 10$.
- 2. Same for "school" and "Florida"
- 3. Then sum up all the values for each document to get the scores highest to lowest.

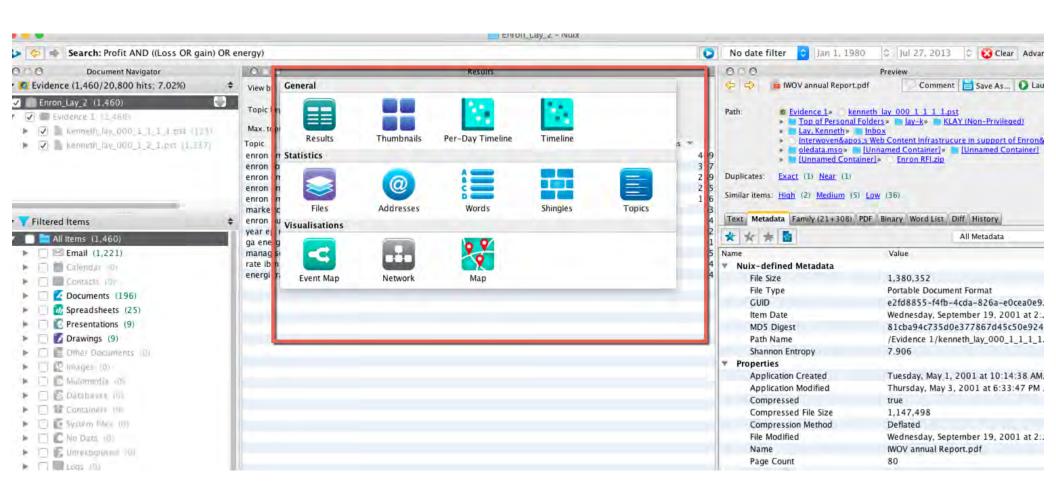




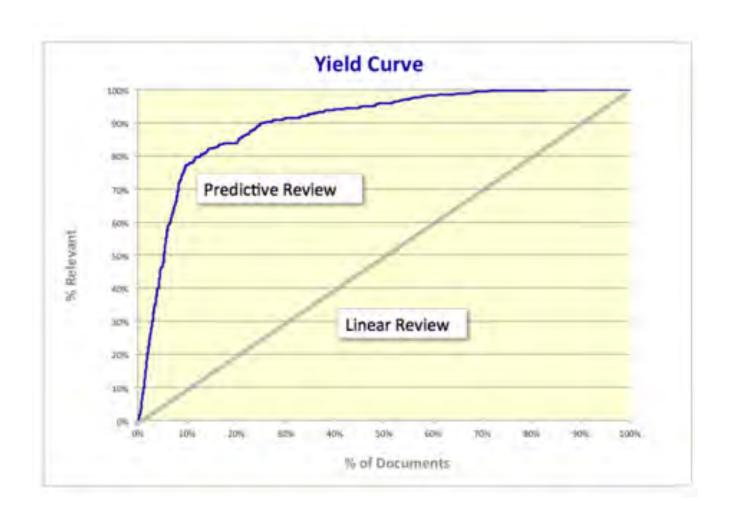






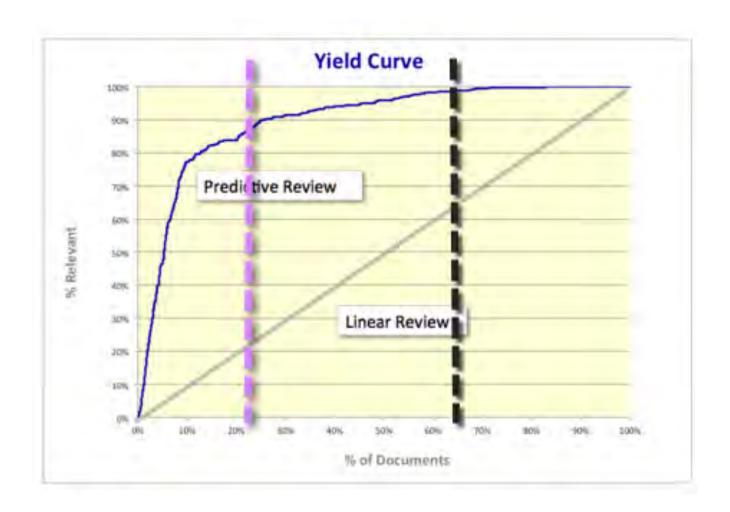






<u>TAR for Smart People</u>, Catalyst Repositories







HOME

AGENDA

PRESENTERS

VENUE & HOTELS

FRIENDS

CAREERFEST

GALLERY





THANK YOU AND QUESTIONS



William F. Hamilton Legal Skills Professor Levin College of Law University of Florida

hamiltonw@law.ufl.edu

