



Morgan Lewis

DOMINATING LITIGATION IN A DIGITAL SOCIETY

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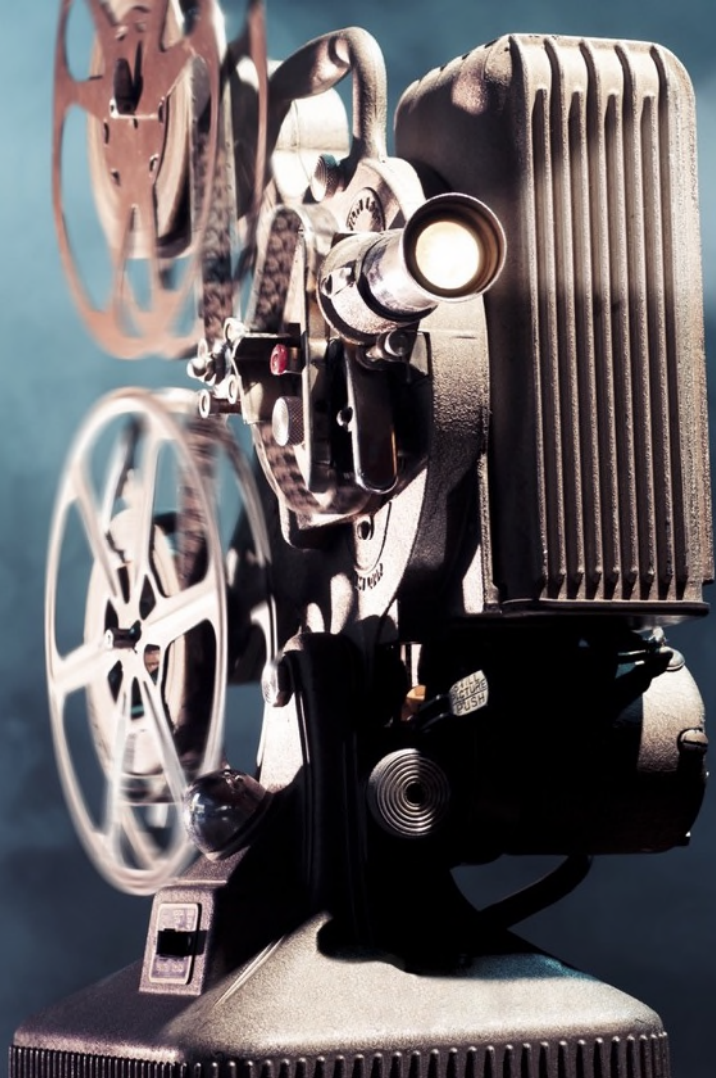


WHAT IF...





You Could Tap Into
The Digital Universe?



You Could Replay
Any Moment as a
Digital Narrative?



You Always Knew
Who to Depose and
What to Ask?

An open, empty cardboard box is centered on a light-colored wooden floor with visible grain. The box is made of brown corrugated cardboard and is open on all four sides, showing its interior. The text "You Could Conduct Zero-Email Litigation?" is overlaid in the center of the box. The word "Zero-Email" is in yellow, while the other words are in white.

You Could Conduct
Zero-Email Litigation?





This Is The **Promise**
of Big Data

What is Big Data?

Variety





Velocity



Volume

EVERY DAY WE CREATE

2,500,000,

000,000,

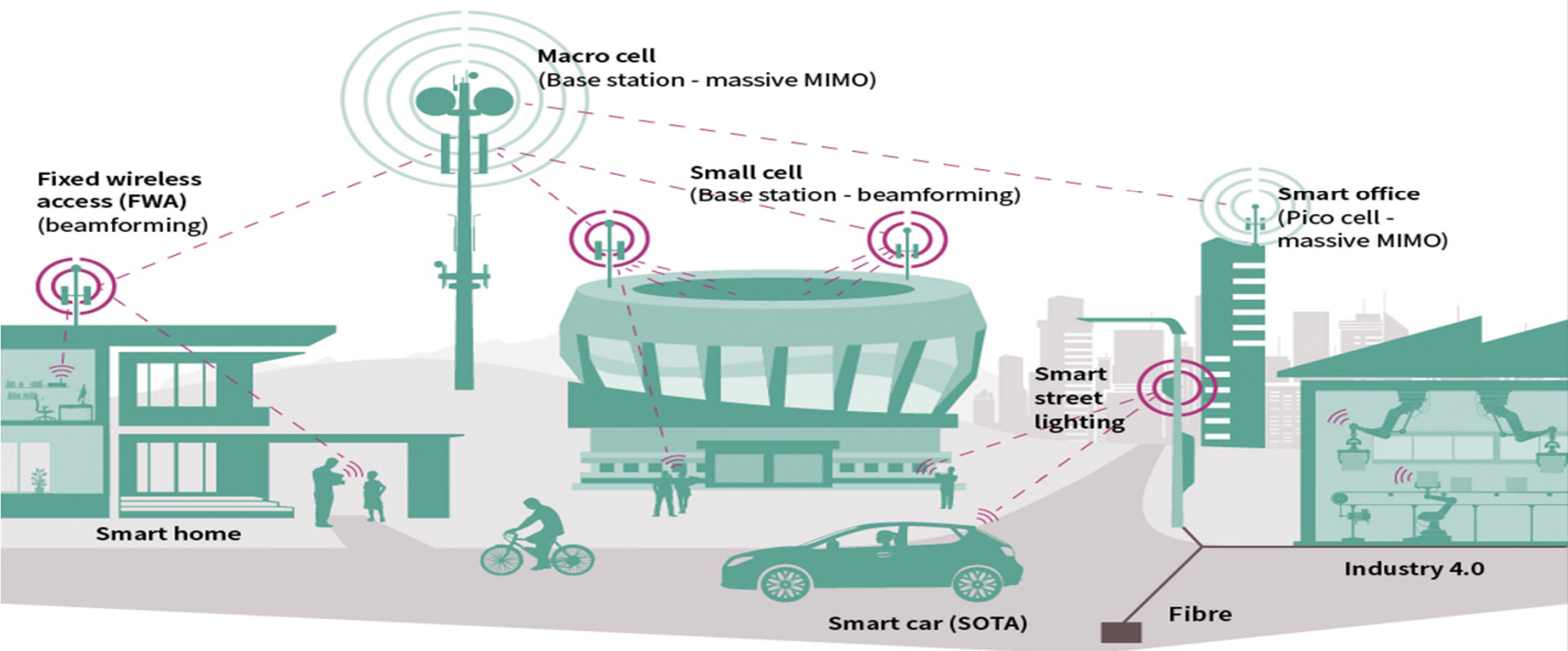
000,000

BYTES OF DATA



And There's More Data Coming...

Smart and connected - the communication of tomorrow with 5G



Base station (Macro cell, massive MIMO) < 6GHz



Small Cell (Beamforming) > 6 GHz

SOTA (Software over the air)

100000 x more traffic

10-100 x more devices

↓ **1** millisecond latency

10 years M2M battery life

M2M ultra low cost

Flat energy

↑ **10** Gbit/s peak data rates

100 Mbit/s wherever needed

Ultra reliability

5G Research

Performance requirements

2020+

Capacity

Latency

Energy consumption

Cost

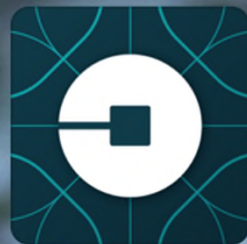
User data rates

Coverage

Limits



Insight to Connections and Patterns



This Has Disrupted Entire Market Sectors



Don't worry. This will NEVER
affect the practice of law



FITBIT

Richard Dabate told police a masked intruder assaulted him and killed his wife in their Connecticut home. His wife's Fitbit told another story and Dabate was charged with the murder.

POLICE LINE DO NOT CROSS

Smart Water Meter

James Bates said an acquaintance accidentally drowned in his hot tub in Arkansas. Detectives suspected foul play and obtained data from Bates's Smart Water Meter. Bates was charged with murder.

POLICE LINE DO NOT CROSS

Pacemaker

Ross Compton told investigators he woke up to find his Ohio home on fire and climbed through a window to escape the flames. Compton's pacemaker suggested otherwise. He was charged with arson and insurance fraud.

POLICE LINE DO NOT CROSS



A Historical Example



DUANEreade

pharmacy Rx





DISCOUNT CHEMIST
BEATEN PRICE!

SUPER FOODS

SUPER FOODS

WELLNESS WELLNESS WELLNESS

CENTUM & BREVOLA

VITAMINS

CHEAPER WAREHOUSE PRICES

NEW

WELLNESS



SALE
ON NOW!

SALE
ON NOW!

IRON VITAMIN



SALE
ON NOW!

SALE
ON NOW!

THE BUCK STOPS WITH YOU



SALE
ON NOW!

SALE
ON NOW!

FREE



SALE
ON NOW!



SALE
ON NOW!

SALE
ON NOW!

SALE
ON NOW!

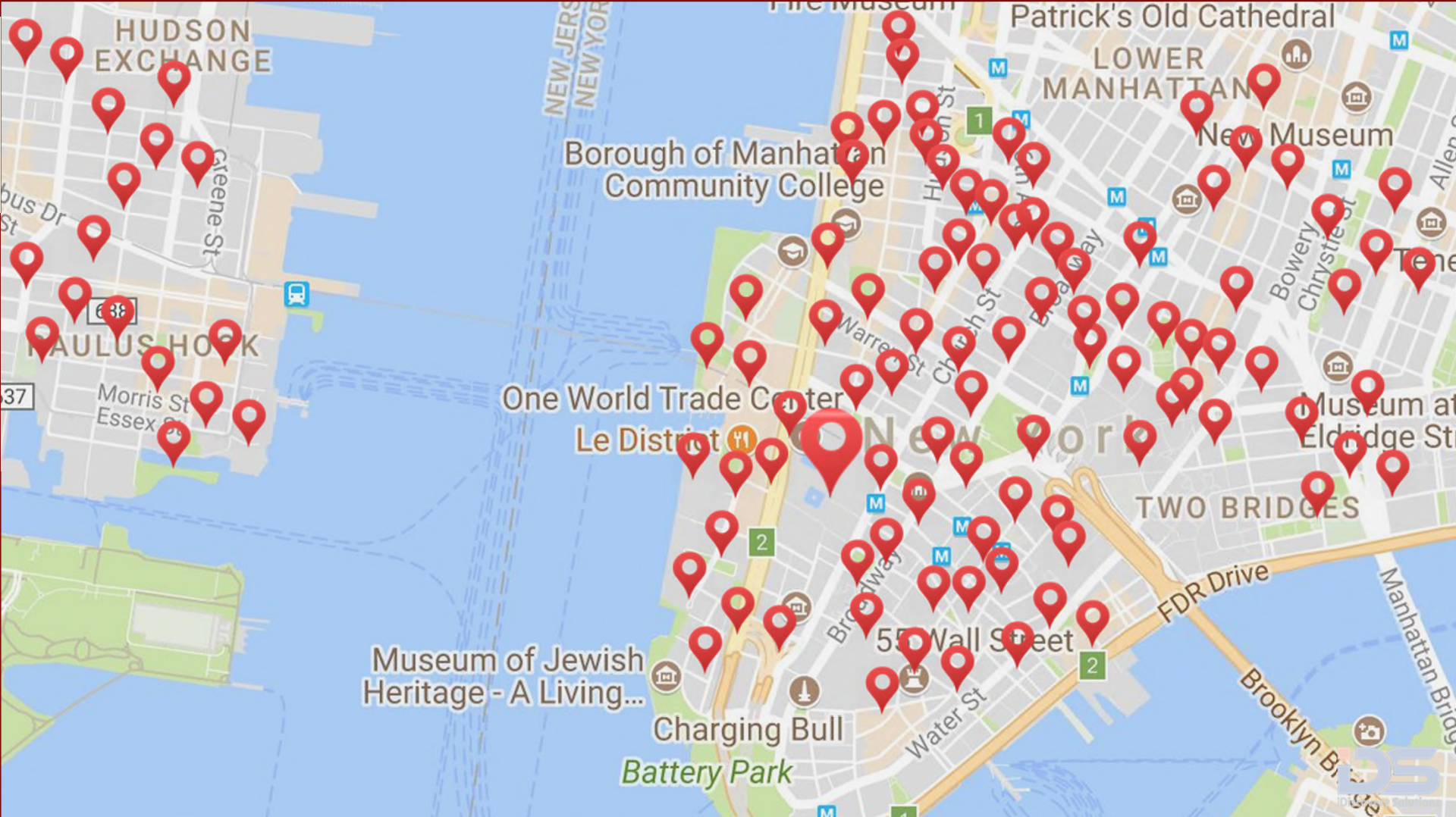
SALE
ON NOW!

Sorry
WE'RE
CLOSED

business lost profits
drop down sale executive
worker stock cash
market decrease
investment office
finance
financial crisis chart bad
money
trouble people graph
stress person
salary loss
work life arrow
unhappy corporate diagram economy
despair currency businessman growth
opportunity

ID Rduane reade
New York's **#1** Drug Store

**Dollar
Rewards
Club**



90%



The Data Knows Us...
Better Than We Know Ourselves

Meet Mary

Manages Henry.
Knows Henry.
Henry Is Her Top Performer.



Meet Henry

Pads his time.
Reroutes invoices.
Has another job.



A person wearing a grey pinstripe suit and a blue patterned tie is holding an open red book. The background is a blurred library with bookshelves. The text is overlaid on the image.

WE FOUND A FATAL FLAW IN
EVERY CLASS MEMBER WE
EXAMINED.

- Class Action Litigator

DATA FROM MANY DIFFERENT SOURCES

Windows

Information Technology (VPN)

Operations (Dispatch)

Fleet Management (GPS)

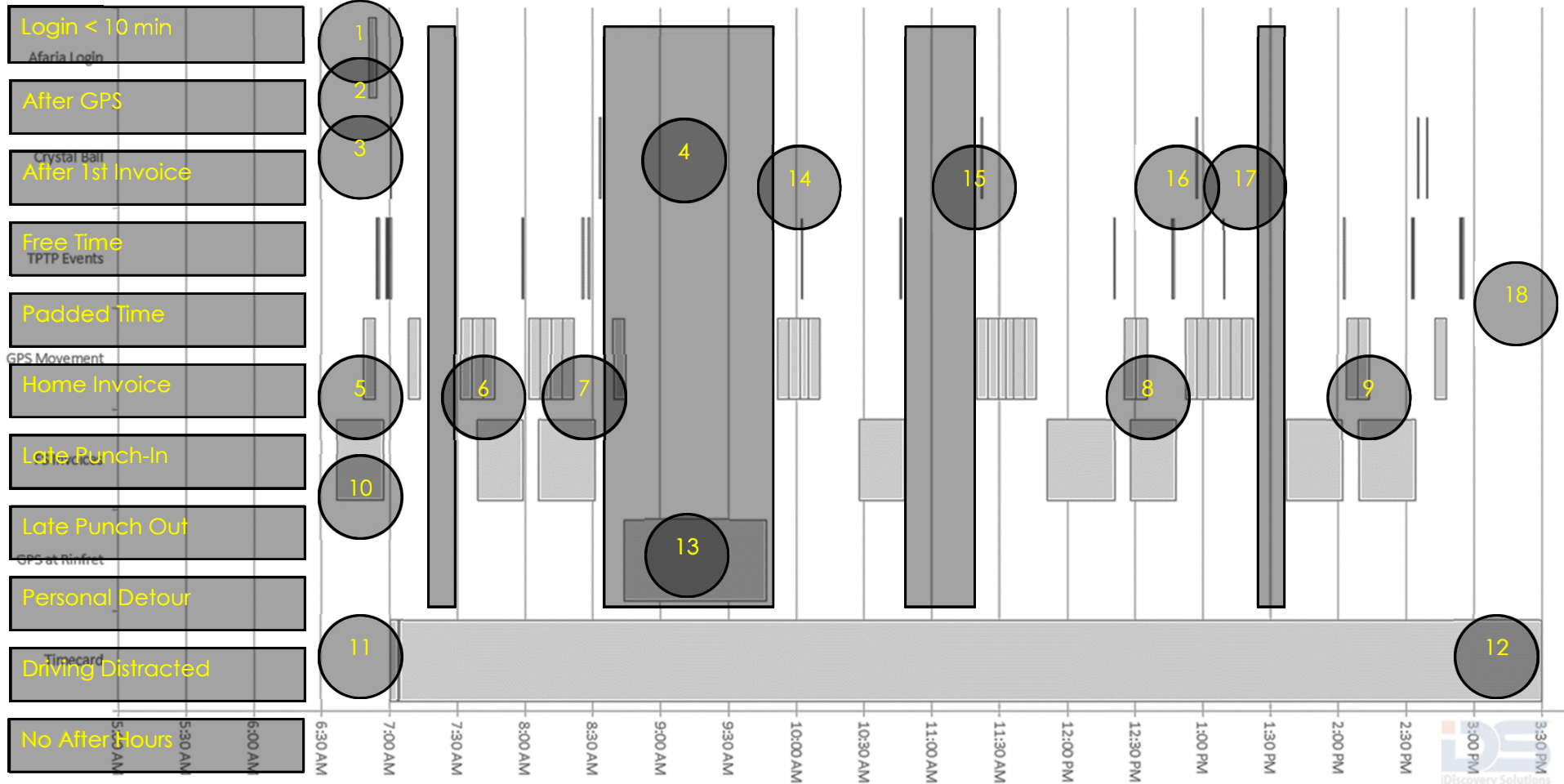
Finance (Invoices)

Personal (Detours)

Human Resources (Time Card)

5:00 AM 5:30 AM 6:00 AM 6:30 AM 7:00 AM 7:30 AM 8:00 AM 8:30 AM 9:00 AM 9:30 AM 10:00 AM 10:30 AM 11:00 AM 11:30 AM 12:00 PM 12:30 PM 1:00 PM 1:30 PM 2:00 PM 2:30 PM

POWERFUL INSIGHT TO CLAIMS AND DEFENSES



A man in a dark suit and striped tie stands with his arms crossed in front of a blurred background of bookshelves. The text is overlaid on the right side of the image.

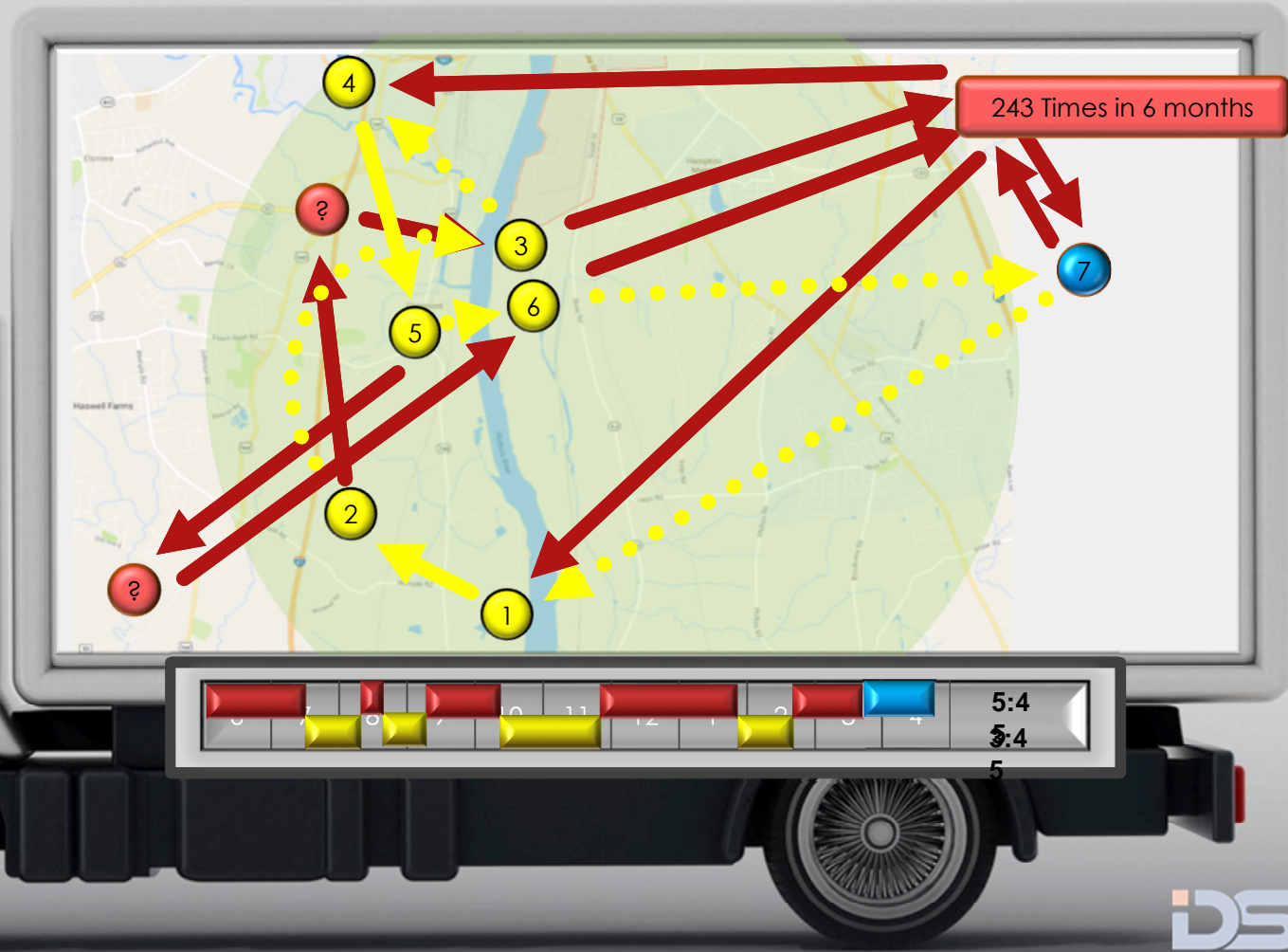
WE HAVE NEVER HAD THIS LEVEL OF
DETAIL OR INSIGHT.

- Class Action Litigator

HENRY'S REPORTED DAY



HENRY'S ACTUAL DAY





CLASS MEMBERS STARTED
DROPPING OUT...

- Class Action Litigator

Environmental Tort
Products Liability
White Collar
Insider Trading
Theft of Intellectual Property
Personal Injury
Construction Defect



Zero Email...

Banking Call Center FLSA
Specialty Delivery Service



E-Mail

Human Written

Subjective

Manually Intensive

“What he said he did”

Relativity™

Structured Data

Machine Captured

Objective

Highly Automated

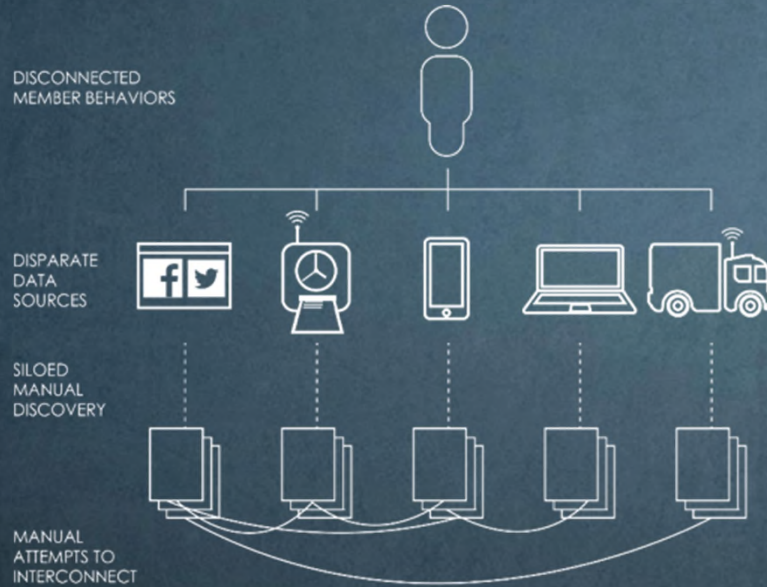
“What he actually did”

Nothing...?



THE OLD WAY

ANALOG, MANUAL



THE NEW WAY

DIGITAL, AUTOMATED



Rethink Civil Procedure

<u>LEGAL STAGE</u>	<u>OLD FOCUS</u>		<u>NEW FOCUS</u>
CLASS CERT	Identify	→	Stratify
DEPOSITIONS	Inquiry	→	Inquisition
MEDIATIONS	Persuade	→	Demonstrate
SETTLEMENT	Estimate	→	Calculate
TRIAL	Questions Of Fact	→	Questions Of Law

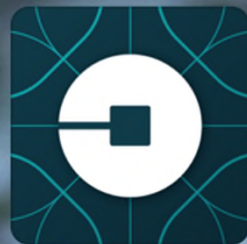


What to be Concerned About

Our Systems are Complex



Everything Is Outsourced



A Distorted View of The Effort Required





Morgan Lewis Webinar Dan Regard



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About 38,700 results (0.46 seconds)

Events - Morgan Lewis

<https://www.morganlewis.com/our-thinking/events>

Webinars; Morgan Lewis Seminars; Conferences and Speeches; Teleconferences; Special Events; CLE Courses; View All Upcoming Events. See More.

Missing: dan regard

Morgan Lewis Automotive Hour Webinar Series

<https://www.morganlewis.com/events/automotivehour>

The webinar program is a convenient way to learn about the latest automotive industry ... Register for any of the below webinar sessions >> ... Daniel S. Savrin.

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The False Claims Act Webinar: The Year in Review ... - Morgan Lewis

<https://www.morganlewis.com/events/the-false-claims-act-webinar>

The False Claims Act Webinar: The Year in Review and a Look Forward in the Age of President Trump. April 4th and 5th, 2017 3:00 PM - 4:00 PM ET.

Missing: dan regard

Dominating Litigation In A Digital Society - - United States

www.mondaq.com/content/pr_article.asp?pr_id=32562

3 days ago ... In A Digital Society - Morgan Lewis ... The profusion of smartphones, smart cars

A close-up photograph of a person's hands on a car's steering wheel. The person's left hand is on the top of the wheel, and their right hand is holding a smartphone, looking down at the screen. The background is blurred, showing a residential street with houses and a blue sky. A semi-transparent dark grey banner is overlaid across the middle of the image, containing the text "Data Can Be Misunderstood" in white. In the bottom right corner, there is a logo for "IDISCOVERY SOLUTIONS" with the letters "ID" in a stylized font and "SOLUTIONS" in a smaller font below it.

Data Can Be Misunderstood

Data Privacy

Use the Rules

Targeted Scope

Focus on Context ... For Now



Proportional?
Probative?
Prejudicial?



The background of the slide is a dark blue field filled with a complex network of white lines and dots. The dots, representing nodes, are of varying sizes and are connected by thin white lines, creating a web-like structure that suggests a network or data flow. The overall aesthetic is high-tech and digital.

In Conclusion...

No One is Data Poor...



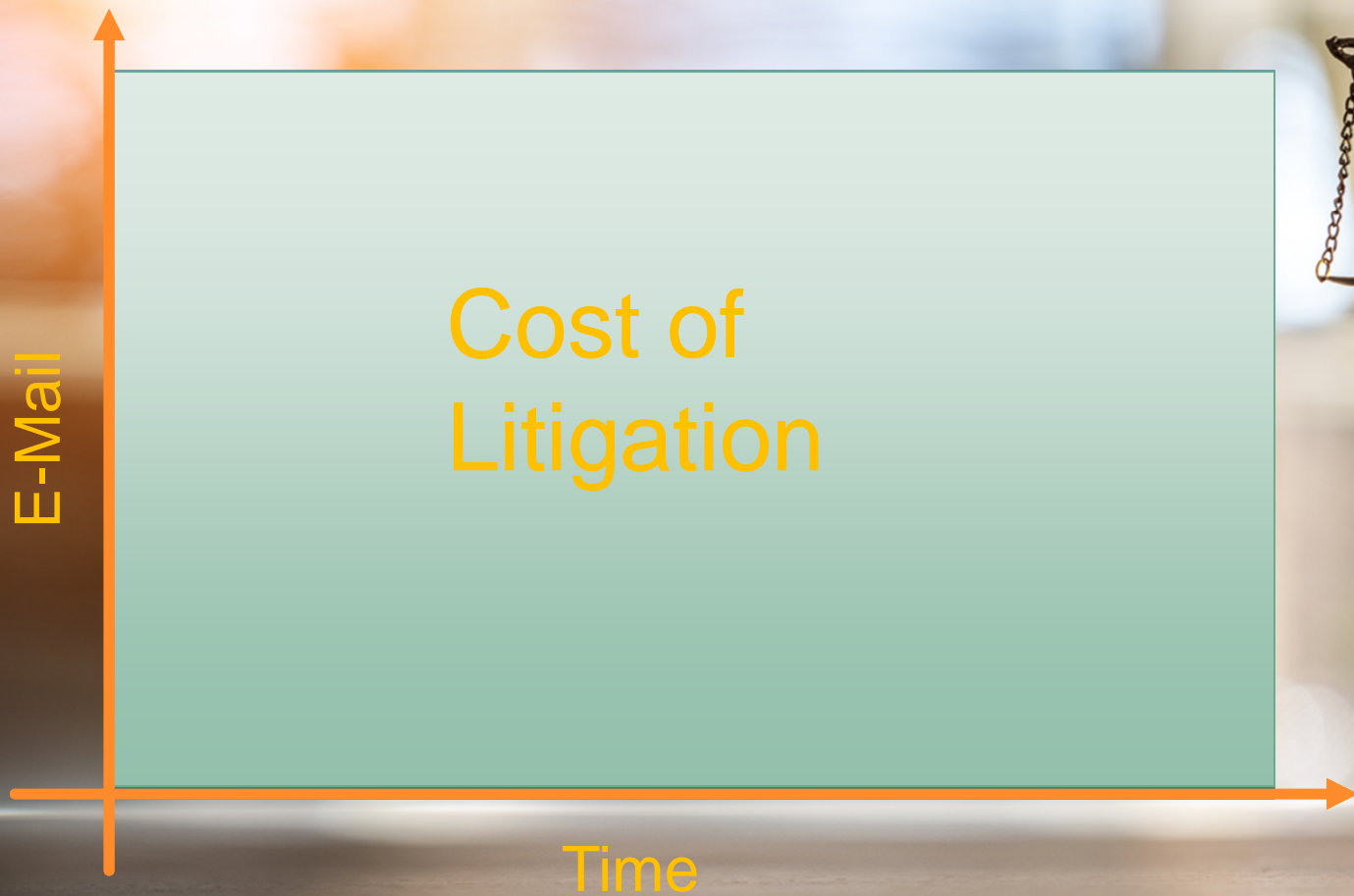
Event Driven Data

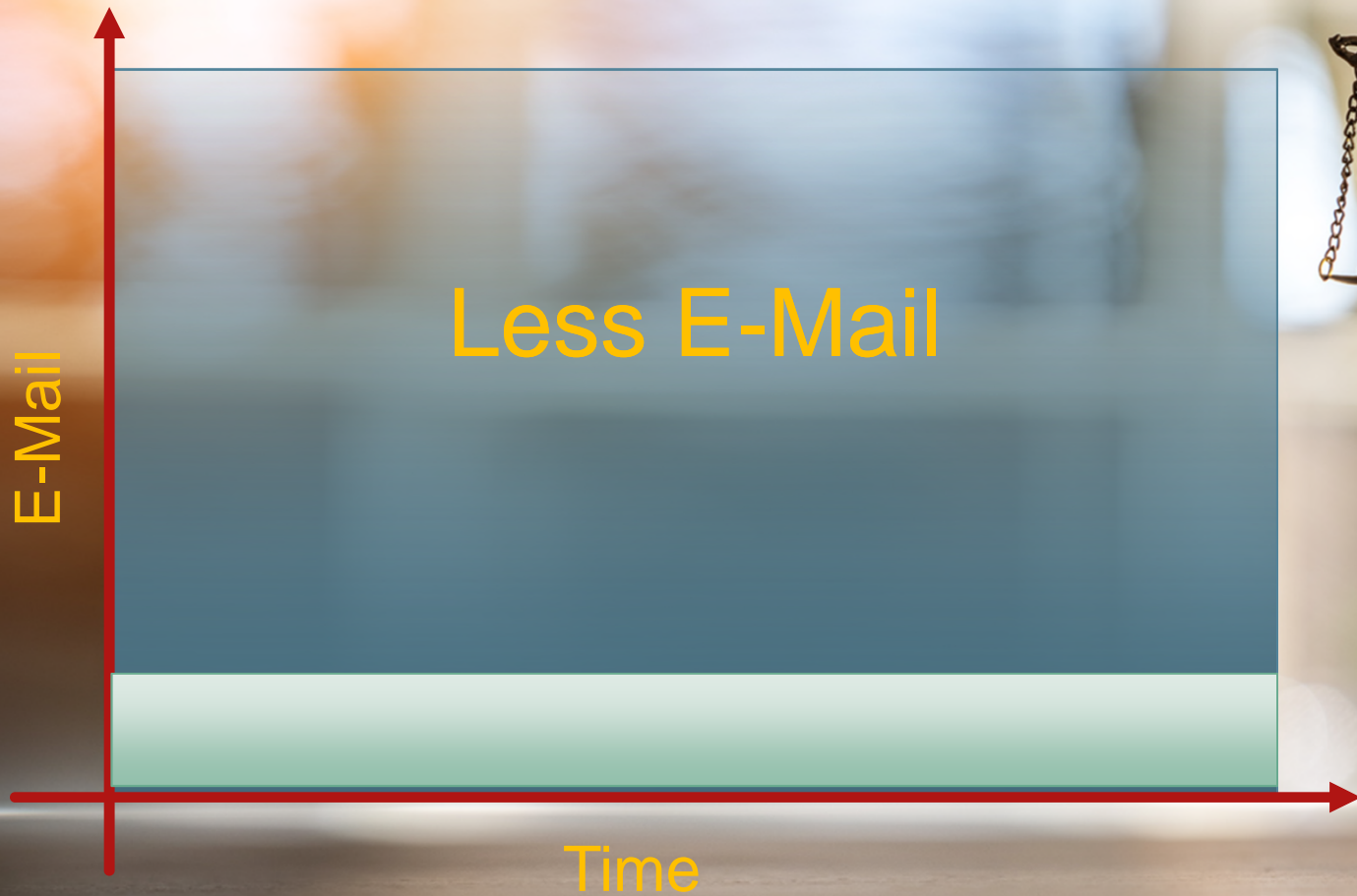
Faster Answers

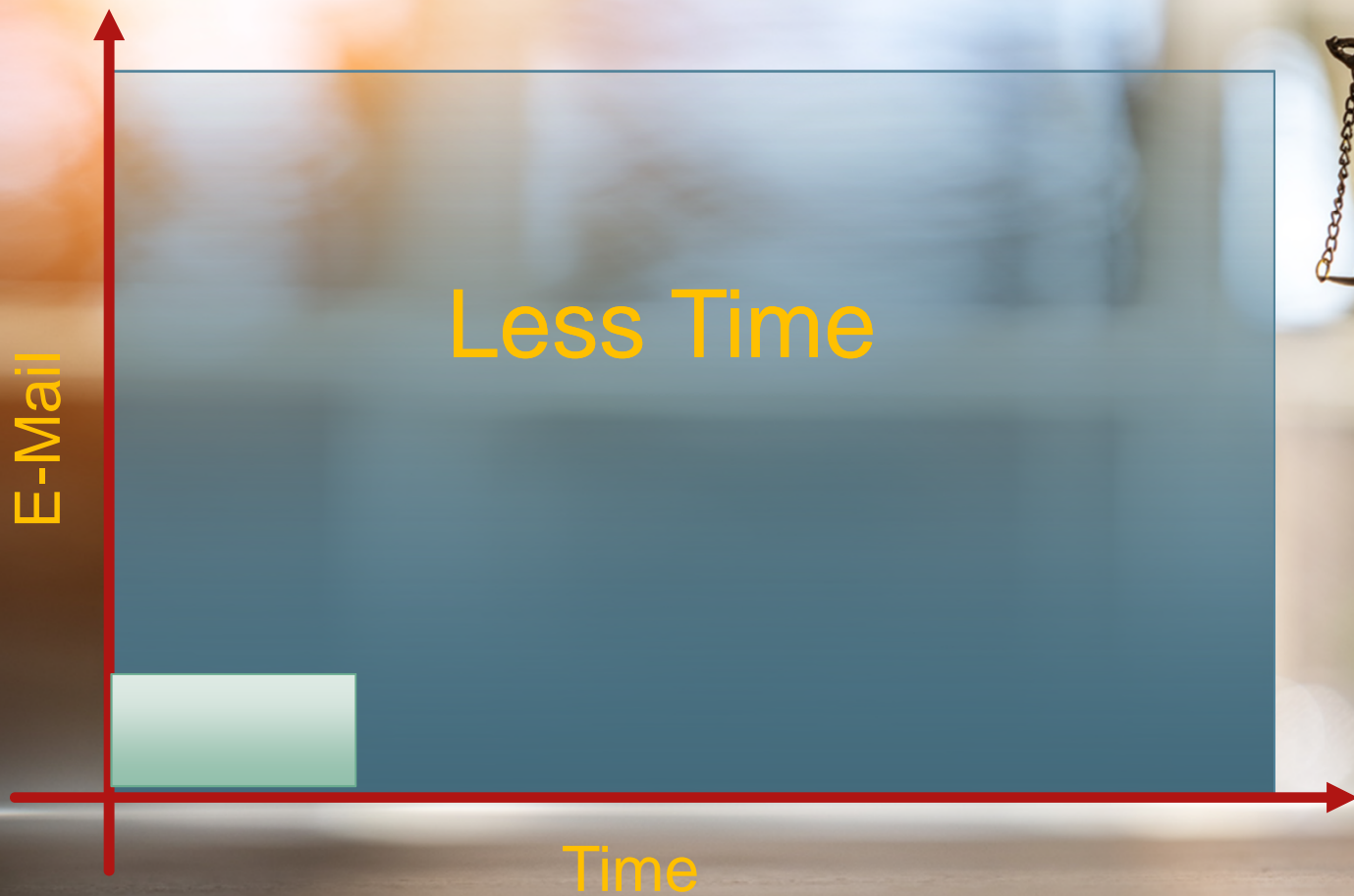
Superior Outcome

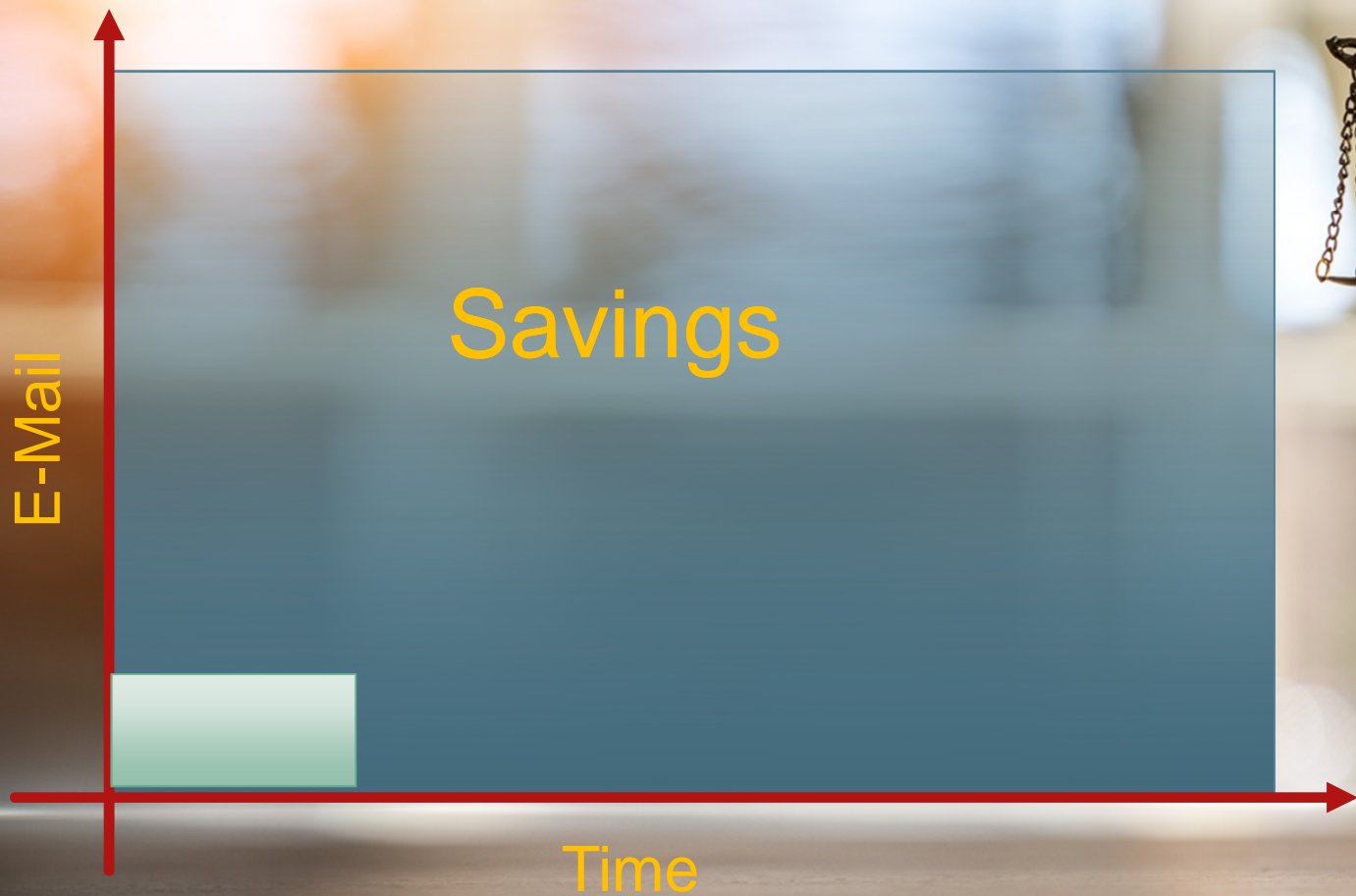
Unfair Advantage











Get an Early Start

Interrogatories

RFP's

3rd Party Subpoenas



Context
is the new
Content



Bring Your
Geek To
Court



Own The Data
Control The Narrative
Dominate Your Case



“The future is
already here,
it’s just not
evenly
distributed.”



Q&A



Thank you for running in the 2018 Technology May-rathon with us.

We would be pleased to answer your questions.

The Q&A tab is located on the bottom right hand side of your screen. Please type your questions in the space provided and click **Send**.

Morgan Lewis Technology May-rathon 2018

Morgan Lewis is proud to present Technology May-rathon, a series of tailored webinars and in-person programs focused on current technology-related issues, trends, and legal developments.

This year is our 8th Annual May-rathon and we are offering over 25 in-person and virtual events on topics of importance to our clients including issues of privacy and cybersecurity, new developments in immigration, employment and tax law, fintech, telecom, disruptive technologies, issues in global tech and more.

A full listing and of our tech May-rathon programs can be found at <https://www.morganlewis.com/topics/technology-may-rathon>

Be sure to tweet [#techMayrathon](#)

THANK YOU

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