QUARTERLY MEETING MINUTES – WEDNESDAY, SEPTEMBER 5, 2018

Attendance: Aleine Cohen, William Denny, Aaron Goldstein, Sara Beth Kohut, James Levine (Chair), Ian McCauley, Bruce McCullough

1. Old Business

   A. Approval of Minutes from April 24, 2018, annual meeting
      i. The Minutes were approved.

   B. Report on CLE program planning Ñ Sara Beth Kohut
      i. We decided to move the date to Wednesday, November 14 or, alternatively, November 28 in order to have sufficient time to prepare and for publicity.
      ii. The Recent Developments in Data Security panel is set. We need to finalize the panelists for the Recent Developments in E-Discovery panel. Ian will be on the panel and will brainstorm about additional panelists.
      iii. Future CLE program for the spring (March or April): We discussed organizing a CLE focused on blockchain technology not just legal developments but nuts and bolts of how it works and terminology. It was thought 1½ hours was about the extent of attention to this topic. Sara Beth will check on dates with the DSBA.

   C. Future section meetings
      i. We will schedule them for December, February & April.

   D. Report on Section web page
      i. The DSBA website has been updated and the Section web page is up to date

2. New Business

   A. Discussion of recent developments in e-discovery and technology law.
      i. Bill discussed double encryption of cell phones that permits keeping some portions encrypted, which can be significant with foreign border inspections.
ii. Bill discussed the California privacy law (enforceable January 2020; compliance required by January 2019). There are inconsistencies between it and EU GDPR.

iii. Ian discussed the recent Chancellor Bouchard *Kate Spade Appraisal* opinion that discussed companies capturing employees digital information including text messages and emojis for e-discovery purposes.

B. Next meeting dates

i. December 5 at noon with lunch at Pepper Hamilton.

Respectfully submitted,

Bruce W. McCullough, Secretary