

Everlaw, Strategic Discovery Advisor (2022-), Account Executive, (2020-2022)

- Designs best practices project designs and workflows for Everlaw prospects and customers
- Develop materials for Continuing Legal Education, white papers, blog posts, and deliver in-person or remotely
- Charter member of Everlaw's Value Engineering Team (2022)
- Consultative sales and value propositions to Amlaw 100 law firms and Fortune 500 corporations

D4, a brand of Special Counsel, Inc. SVP Sales (2010-2012); SVP Consulting and Discovery Engineering (2012-2018); Senior Consultant for Innovation, Strategy and Best Practices (2019)

- Testified on ESI protocols, defensibility, scope of preservation, filtering, technology-assisted review
- Designed scoping, pricing, and proposal process for eDiscovery and information governance
- Engineered sales to YoY growth in two successive years to 100% and 50%.

Anacomp, Inc. (2009-2010) Vice President Consulting for Electronic Discovery

- Built eDiscovery hosting and services business from \$0 to \$1.5mm in one year.
- Supervised sales, consulting, and onsite data collection teams.

SPi Legal (2005-2009) Vice President of Consulting & Project Engineering

- Conducted US and EU onsite data collection and computer forensics for litigations and investigations
- Supported clients with budgets, pricing, and discovery responses

Electronic Evidence Discovery (1999-2002) and Daticon (2002-2005) (now DTI and Epiq) VP, Sr. Consultant

- Staffed preservation and collection for more than 800 staff in 20 government agencies
- Collected ESI for civil litigations and government investigations in the US and UK in antitrust, banking, commercial, employment, insurance, IP, trade secrets mass tort, and pharma
- Developed a computer forensics lab and served as examiner and expert witness
- Certified as CLE provider in eleven states.

IBIS Consulting, Inc. and Strategic Solutions, Inc. (1997-1999) Senior Consultant, Director Client Services

- Worked with law firms and corporations on the full text search of ESI for litigation support
- Developed, staffed, and managed review for resolution of life insurance marketing conduct complaints for a major life insurance carrier.

Arthur Andersen LLP (1994-1997) Manager, Legal Information Consulting

- Directed litigation support image scanning and document coding facility for 300 staff over three shifts
- Instituted statistical sampling for quality control of litigation support document coding

Debevoise & Plimpton (1986-1994) Manager of Litigation Support and Practice Support

- Instituted support for document retrieval, data conversion, production of ESI, financial analysis, case management, demonstrative evidence, statistical modeling, and trial support graphics.
- Developed practice group support for document review, onsite data collection, bankruptcy, corporate finance, derivatives, insurance, and international transactions.

EDUCATION

JD, Lewis & Clark Law School; BA, Brandeis University. Certificate: The Sedona Conference: eDiscovery Negotiation Training: Practical Cooperative Strategies (2019). Chuck is not an attorney and does not provide legal advice.

PROFESSIONAL AFFILIATIONS

New England Litigation Technology Professionals (2012-2023; executive board member, 2014-2023) Sedona Conference WG1, WG6 2012- WG6 brainstorming and writing teams 2018-; Int'l Association of Privacy Professionals, 2018-2020. Electronic Discovery Reference Model (EDRM) 2006-2009. Chair 2007 EDRM Evergreen Identification. Massachusetts

MCLE Faculty 2001-2011. ABA Legal Technology Resource Center, Working Group for Litigation Support Guidelines, 1990-1994. VP, East Coast Association of Litigation Support Managers, 1990-1994.

EXPERT TESTIMONY

Written testimony on motion to compel, Egana et al v. Blair's Bonds E.D.La. 2:17-cv-05899 February 2019; September 2019
Written testimony to support form of production of ESI from call center and claims systems and for protection of PII, Crystal Lakes v. Bath & Body Works, 2:16-cv-2989-MCE-GGH E.D. Cal. Feb 2017
Written testimony to support Defendant's motion for sanctions, Douglas Elliman v. Tal, et al. Sup Ct. NY Index 650440/12 2017
Written testimony to defend motion to compel, California ex rel Herrera v Monster Beverage, Cal. Sup., SF CGC 13 531161 2016
Written testimony on search protocol, Nachurs Alpine Sols v. Banks and Nutra-Flow, USDC ND Iowa 5:14 CV 04015-DEO 2016
Written testimony on discovery protocol, Cung Le, et al v. Zuffa LLC Ultimate Fighting Championship and UFC, USDC. D- Nev, 2016.
Oral testimony on discovery protocol, Delgado v. Ocwen Loan Servicing, Cross Country Homes, 1:13-cv-04427 (NGG)(RML) 2015-16
Oral testimony to support motion to compel, Agerbrink v. MSA Models, et al, USDC (SDNY) 14 Civ 7481 (JPO)(JCF), 2015
Written testimony to support motion to compel, Lloyd, et al v. J.P. Morgan Chase. USDC (SDNY) No. 11 Civ. 9305 (LTS) (HPB) 201
Written testimony to support protective order, People Sales & Profit Co. v Steak N Shake, 1:13 CV 00654 (S.D. Ind.) August 2015
Written testimony to support protective order, Montesa v. Schwartz and E Ramapo Central School District 12 CV 6057 (SDNY) 2015
Written testimony to support motion to compel, Scott et al. v. Chipotle Mexican Grill Inc., 12 CV-8333 (S.D.N.Y.) March 2015
Written testimony to support motion to compel BNY Mellon In re Estate of Norman Mercer NY Suffolk Surrogate Court. 2015
Written and oral testimony to support motion to compel, Aurora v Aventine et al (D. Neb) December 2014
Written testimony to quash deposition subpoenas, Murphy and Creazzo v Lenderlive Netw. D Col 13 cv 03135-RBJ 2014
Written testimony to support motion to compel, Alberta Ltd. Dba Outdoor Museum v Fossil Ind. NY Suffolk Index 060275 2013
Written testimony on protective order, Oxford Global Res. v Ziskind and Entegeee, MA Super, Essex ESCV2013-00496-C 2014
Written testimony on motion for sanctions: FH Chase v Advanced Technology Group, AZMaricopa Sup CV2008-002628 2014
Oral testimony on production cost, burden, timing and scope: EEOC v Signal Intl. 12-557 E.D. La. 2014
Oral and written testimony to support motion to compel, Ford Motor Co v Edgewood 06CV1278, 06CV4266, 08CV0774, D. N.J 2009
Written testimony for 3P motions for protective orders, Chelsea Grand v NY Hot & Mot Trades Council, 07CV2614 EDVA 2007
Expert report on computer forensics in trade secrets litigation, Custer Battles, LLC v Eagle Global Logistics1:04CV01002 EDVA. 2004
Trial expert testimony on forensic examination to find for intentional spoliation Longhitano v. McClelland, NY Sup Westchester 2003
Written neutral expert testimony evaluating cost and burden, Dean v. Priceline.com, USDC D-CT. 3:00 CV 1273 (DJS), 2002
Trial and written expert testimony on computer forensic examination Leeds Int'l v. Smallwood, NY Sup Manh No. 601160/02, 2002
Written testimony on cost and burden, Rowe Entertainment v William Morris Agency USDC SDNY, 98 Civ. 8272 2001 (reported)
Written testimony evaluating discovery compliance for e-mail and business data contained on e-mail and network servers and backup tapes, In the Matter of Certain Network Interface Cards and Access Points For Use In Direct Sequence Spread Spectrum Wireless Local Area Networks And Products Containing The Same (Consolidated Actions), US International Trade Commission, No. 337-TA-455, 2001
Written testimony on privacy and defensible preservation, In Re DoubleClick, Cal Super (Marin) Jud Council Coord No. 4120 2001
Deposition and written testimony on forensic examination on motions for preliminary injunction, EMC Corp. v. Gresham and Eurologic Systems, Inc. Civil 01-2084, Suffolk County, MA, July 2001. (Stipulated as expert.)
Written and oral expert testimony on technique, cost, burden to recover and authenticate electronic files from network, accounting, inventory, and desktop systems; on cross-motions to compel. Am. Booksellers Ass'n v. Barnes & Noble, No. 98CV1059, USDC, ND Cal, Mar. 2000 – Jan. 2001. (Stipulated as expert)
Written testimony on techniques to acquire disk images for forensic exam, Sup. Court MA (Essex) May 2000.
Written testimony on forensic examination and recovery of deleted files, and on the content and chain of custody of files acquired in discovery, on behalf of the Federal Deposit Ins. Corp, USDC MD Fla 1998.

SELECTED PUBLICATIONS

Think Again: The Hidden Costs of On-Prem Ediscovery" Lexology, February 2023
"Yes, Your Slacks and Text Messages Are Fair Game in a Lawsuit" Fast Company, January 2023
"How Financial Services Companies Can Solve the Ediscovery Challenge" Everlaw, August 2022
"Why Is Speed an Advantage in Regulatory Investigations?" Everlaw, March 2022
"Principles for Discovery in International Arbitration", the Sedona Conference Working Group 6, with Christopher Boehning, Claudia Gotz, Kathleen Paisley, and Charles Ragan. Brainstorm (2020) Draft Principles (pending 2022)
"Guide to GDPR Success", D4 Whitepaper, February 2018
"eDiscovery Challenges in Healthcare" with Rachael Philbin, Esq. D4 Whitepaper, August 2017
"Microsoft Mail and the 4th Amendment: Do Any of Us Seriously Think We Have a Right Not to Have Email Seized" JDSupra. May 2014
"Hybrid Approach of eDiscovery Managed Services Yields the Best of Both Worlds" Inside Counsel, Jan 2013.
"Ten Things to Consider When Bringing eDiscovery In-House" with Peter Coons. Inside Counsel, Nov 2012.
"Electronic Discovery by the Numbers" Inside Counsel, October 2012.
"Electronic Discovery", Ch. 20 Massachusetts Discovery Practice, 2nd, with J. Follet and M. Mazzone, Esqs, MCLE, Inc 2010.
"Electronic Discovery: What Is Causing Pain and What Do You Need To Know?" Chi. Law Bulletin eDiscovery, June 2009.
"The Electronic Discovery Vendor – Third Leg of the Litigation Team" Metropolitan Corp. Counsel, Dec 2008.
"Preparing for Meet and Confer – More Carrot, Less Stick?" Digital Discovery & E-Evidence, 7 BNA No 11, Nov 2007.

"Interviewing Business and IT Clients for Electronic Discovery", with Kenneth R. Shear, Esq.
 "Electronic Discovery and Records Retention" MCLE, Inc., Boston, June 2005. LCCN 2005926471.
 "The Skeptical Searcher: How to Give Up the Review of Everything and Discover What Matters", Glasser LegalWorks, Oct 2004.
 "Concept-Based Search Engines: Tools for Records Management", Vol XX, "Peer-To-Peer", The Magazine of LawNet, Inc. Aug 2004.
 "Strategy and Planning for Preservation and Collection", Technology Update for Paralegals MCLE, Boston, Jul 2004.
 "A Practical Guide to Electronic Discovery, 2nd" Chapter 12 Business Litigation, MCLE, Boston, Jan 2004.
 "A Practical Guide to Electronic Discovery", Electronic Discovery and Computer Forensics MCLE, Boston, May 2003.
 "Cost Factors and Cost Shifting in the Discovery of Electronic Data", Electronic Discovery and Records Mgt, Glasser LegalWorks 2002.
 "Electronic Discovery", with Paul Robertson, Esq., Chapter 20, Mass. Discovery, MCLE Inc., Boston, MA, May 2002, 2005.
 "Computer Forensics", with Paul Robertson, Esq., Chapter 11, Massachusetts Expert Witness, MCLE Boston, Mar 2002.
 "Electronic Discovery—Basics, Burdens, and Costs", 1st Annual Conference on Business Litigation, MCLE, Feb 2002.
 "Electronic Discovery – The Basics". Ch 1 "How to Manage, Discover, Produce, and Decipher Electronic Evidence", MCLE, Boston, 2001.
 "Electronic Discovery – Trends, Pleading & Practice". Handling Complex Discovery Matters, MCLE, Boston, May 2000.
 "Using a Basic Business Tool Can Simplify Selection of a Litigation Support Vendor", New York Law Journal, Jan 1994.
 "Computers in the Courtroom" International Corporate Law, with D. Abuhoff, Dec 1993.
 "Adapting Litigation Support to Practice Support" NALSM Views, Nat'l. Ass'n. Of Lit. Support Managers, Sep 1993.
 "Practice Support: A New Tool for Productivity", Computer Counsel, May 1993.

PUBLIC CONTINUING LEGAL EDUCATION SEMINARS (not including bespoke law firm or corporate programs)

Future of Ediscovery, with Hon. Xavier Rodriguez (WD Tex), Dr. Maura Grossman, David R. Cohen, Everlaw Summit, November 2022
 Hot Topics in Technology-Assisted Review, with Dr. Maura Grossman. Everlaw Connect (NY, LA, Chicago) June 2022
 Analytics That Illuminate CLE 1.0 hours; National Association of Attorneys General, October 15 2020
 Ethics & eDiscovery – Panel – South Florida ACEDS – April 2019 FL Bar Provider Accreditation 1805398N
 Ethics & eDiscovery – Association of Corporate Counsel (ACC) San Diego January 2019
 News You Can Use – 2018 ESI Case Decision Roundup Women In eDiscovery, Los Angeles January 2019
 Sedona Conference WG6 International Arbitration – Standards for Discovery Brainstorming Panel, St. Petersburg, FL January 2019
 Ethics & eDiscovery California CLE Provider 18943 9-18-2018 to 9-17-2020 for General 1.0 and Ethics 1.0 September 2018-present
 Ethics, eDiscovery & Technology, Florida CLE Provider 1805398N for General 1.5, Ethics 1.0, Technology 1.0 Hours, July 2018-present
 International Dispute Resolution – Panel: What Does the Evidence Say? ABA Section of International Law, Washington DC 2017
 Are Search Terms Dead? Today's General Counsel Institute, eDiscovery Exchange, multiple cities, 2015-2016
 Don't Get Stuck in the TAR Georgetown Law Center Advanced Institute for eDiscovery (with Hon. Andrew Peck (SDNY), Maura Grossman, Thomas Gricks and David Cohen, November 2015
 Ethics of eDiscovery in Complex Litigation, ABA, Labor & Employment, Ethics & Prof. Responsibility Comm, Philadelphia PA Nov 2015
 eDiscovery by the Numbers, National Association of Attorneys General, Nashville TN August 2015
 Ethics of eDiscovery with Gordon Calhoun, Esq., (CLE certified in 11 states) May 2015.
 Ethics of eDiscovery in Complex Litigation ABA, Labor & Employment Law, Ethics & Prof Responsibility Comm, Naples, FL March 2015
 How to Manage Preservation Costs, Moderator, with Hon. David Waxse (D-Kansas), Hon. William Gallo (S.D. Ca.), Prof. William Hubbard, (University of Chicago Law School) ; Geoff Vance, Esq. September 2014
 Current Issues in Litigation Discovery (half day panel) Massachusetts Continuing Legal Education, May 2014
 Predictive Coding: What it is, How it Works and Why Care ARMA Nebraska Jan 2014
 Moderator, eDiscovery Case Law Update CALSMposium Chicago Ass'n Lit Support Managers Oct 2013
 It Can Happen To Any Good Company - Top Five Ways to Manage eDiscovery Costs Ass'n of Corp Counsel (ACC) Cen FL Jan 2013
 CV0013: Civil Discovery Practice: MCLE BasicsPlus! Mass. Continuing Legal Educ. MCLE, Inc. May 2012
 Building a Defensible Program for Technology-Assisted Review IQPC 6th Ann Conf for Pharma, Biotech & Medical Devices. Oct 2011
 Cooperation in eDiscovery Nebraska Bar Association Annual Meeting October 2011
 Data Preservation Begins With Data Management Chicago Law Bull. eDiscovery Conf. 2011
 Collecting from the Cloud and Defensible Search: Power and Payoff Access Data Users Conf. 2011
 Civil Discovery, full-day panel, MCLE, Inc., Boston, 2011
 Social Media and Electronic Discovery, Association of Litigation Support Professionals, Boston 2011
 Techniques in Early Case Assessment, Association of Litigation Support Professionals, Boston 2010
 Process and Project Management: Are You Ready? eDiscovery and Records Retention, LegalWorks, NY, Chi, SF 2009
 Can't We All Just Get Along? How to Enable Cooperation in E-Discovery Masters Conference panel, Washington D.C., 2009
 Bridging the Technology/Process Gap Between Forensics and Native Review Masters Conference, Washington D.C., 2009
 Early Case Assessment Texas Lawyer Roundtable on eDiscovery: Dallas, TX September 2009.
 What is Causing Pain and What Do You Need to Know? Chicago Law Bulletin eDiscovery Seminars, June 2009
 Identification: Understanding What You Have, Thomson West LegalWorks, NY, Chicago, SF, 2007.
 Using the Rules to Advantage: Putting New FRCP Rules to Work, New Eng. Lit. Sup. Mgrs, Boston, Nov. 2006
 T3 Trial Tactics & Technology American Lawyer Media expert panel moderated by Francis, J (SDNY), 2005
 Chair, Electronic Discovery and Electronic Records Management, MCLE, Inc., Boston. June 2005, June 2003
 Virtual Reality: Finding the Smoking Gun in the Electronic Haystack, LegalWorks - Journal of Commerce, NY, Chicago, SF, 2004
 Organizing, Processing and Producing Electronic Data, Technology Update for Paralegals, MCLE, Inc., Boston. July 2004
 Avoiding the Spoliation Trap Glasser LegalWorks-Daily Journal of Commerce, San Francisco, April 2004
 Audits & Preservation: How to Manage Electronic Data, Control Costs & Avoid Spoliation, LegalWorks, NY, Chicago, SF, 2003

Electronic Discovery: Trends, Strategy and Technology. Daticon, Inc. Atlanta, Boston, Chicago, Houston, Los Angeles, Minneapolis, Feb-June 2003. CLE Accredited in CA, DE, GA, MN, NY, OK, PA, RI, TX, WI

Electronic Discovery and Electronic Records Risk Management: Trends, Strategy and Technology Houston, TX, December 2002; State Bar of Texas MCLE Sponsor 10881, Course Number 000041654

Computer Forensics and the Discovery of Electronic Evidence, City of San Mateo Police Dept, CA, Dec 2002

Electronic Discovery and Electronic Records Risk Management – Trends, Tactics and Technology, Boston College Law School, 2002

Preserving & Analyzing Data & Electronic Discovery Preservation Tactics & Litigation Strategies, LegalWorks, Chi, SF, 2002

Discovery in the Electronic Information Age, General Counsel University, State of PA Ofc. General Counsel, Hershey, PA, 2002

Electronic Information in the Post-Enron Era: Records Retention to eDiscovery, General Counsel Roundtable, MA, 2002

Electronic Discovery Issues in Products Litigation, ABA Litigation Section, Annual Mtg, Products Liability Panel, April 2002

Electronic Discovery Practice & Technique Guest Lecture, New Eng. Sch. Law., Internet Law, Prof. Stephen Meltzer, Apr 2002

Electronic Discovery Considerations in Business Litigation, Panel Conference on Business Litigation, MCLE, Boston, 2002

Trends in Electronic Discovery. Mass Paralegal Association, Inc., Boston, 2001

Managing Corporate Documents and Electronic Discovery, Southeastern Corporate Law Institute and Ala. Bar CLE, Point Clear, AL, 2001

Electronic Discovery: The Basics Guest Lecture NE Sch. of Law, Internet Law, Prof. Stephen Meltzer, Apr 2001

CyberDiscovery, Massachusetts Continuing Legal Education, MCLE, Boston, MA, February 7, 2001.

Electronic Discovery in Workplace Controversies, Chi-Kent College of Law, Ill. Inst. Technology, Chicago, Ill., November 17, 2000

Keynote, Effective Electronic Discovery, Atlanta Bar Ass'n Discovery of Electronic Evidence, Nov. 2000

The Latest Battlegrounds, Glasser LegalWorks 4th Annual Conference, NY and Chicago, November-December 2000

The Use of Electronic Evidence in Litigation, Reducing Risks of Electronic Discovery: Challenges for Corporate IT and Records and Knowledge Managers, Association for Information and Image Management (AIIM) Harrisburg, PA, November 2000

The Use of Electronic Evidence in Litigation, Keynote. Pharmaceutical Education and Research Institute (PERI), Georgetown University Conference Center Washington, DC, Sept. 18-19, 2000

Electronic Discovery: Trends, Burdens and Costs, Massachusetts MCLE, Boston, MA, June 8, 2000

Burdens and Costs of Electronic Discovery, panel of litigators and federal judges, Technology and the Administration of Justice, 49th Ann. Mtg. of the Seventh Circuit Bar Association, Chicago, Ill., May 1-3, 2000

When Crises Strike and Responding to the Crisis Glasser LegalWorks , NY and Chicago, 2000

Trends and Strategy in Electronic Discovery, Roger Williams Law School Inns of Court, Jan. 2000

Electronic Discovery: Risks & Opportunities for Litigation, Mergers, and Acquisitions, Boston ARMA, Oct 1999

A Case for Effective Electronic Discovery: Trends, Strategy and Practice Boston Area Lit Supp Software Users', Oct 1999

Leveraging Knowledge Management in Mergers and Acquisitions Ass'n of Records Mgrs and Admrs (ARMA), Boston 1999

Law Firm Governance: Using Latest Technology: Taking Time to Increase Future Productivity, NY Feb 1994

Working with Vendors and Writing the Request For Proposal, East Coast Ass'n Lit. Supp. Mgrs., Dec 1993

The Role of Attorneys in Planning Litigation Support, PriceWaterhouse Legal Tech NY Jan 1993