

**DELAWARE STATE BAR ASSOCIATION  
E-DISCOVERY AND TECHNOLOGY LAW SECTION**

**QUARTERLY MEETING MINUTES – TUESDAY, JULY 28, 2020**

Attendance online via Blue Jeans: Sara Beth Kohut, James Levine, Bruce McCullough, Greg Strong

**I. Old Business**

**A. CLE program**

1. Our spring program was presented June 20 via remote, covering privacy and data security

**B. Report on Section web page**

1. James will follow up with Ayesha Bennett about compiling additional materials for the webpage.

**II. New Business**

**A. Discussion of recent articles/developments**

1. Bruce reported on *United States v. Gratkowski*, 2020 WL 3530575 (5th Cir. June 30, 2020). The U.S. Court of Appeals for the Fifth Circuit held that the government's warrantless search of a Bitcoin blockchain associated with a child-pornography website and the government's subpoena to the cryptocurrency exchange Coinbase did not violate the defendant's Fourth Amendment protections against unreasonable searches and seizures. Federal agents served a grand jury subpoena on a cryptocurrency exchange, seeking information about customers who had paid the child pornography website in Bitcoin. The exchange identified the defendant as one of these customers. The agents then used this information to obtain a search warrant for the defendant's house.
2. Sara Beth reported that there is a new Proposition 24, the California Privacy Rights Act of 2020, ballot initiative in the general election that would amend the California Consumer Privacy Act (CCPA). The ballot measure is summarized at <https://www.sos.ca.gov/elections/ballot-measures/qualified-ballot-measures/>.

**B. Fall CLE**

1. Our typical topics: e-discovery updates (James, Ian McCauley; James will ask Ayesha Bennett and a fourth); privacy and data security developments (Sara Beth; she will ask Bill Denny and Ed McAndrews plus a fourth).

Scheduling it after the election with the CCPA ballot initiative makes sense. Greg will try to schedule for the week of November 16.

2. Greg suggested a blockchain seminar and will develop the idea for this.

III. The meeting was adjourned.

Respectfully submitted,

Bruce McCullough