

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

QUARTERLY MEETING MINUTES – TUESDAY, OCTOBER 27, 2020

Attendance online via Blue Jeans: Amy Evans, Brian King Sara Beth Kohut, James Levine, Bruce McCullough, Nikkia Squires, Greg Strong

I. Old Business

A. Approval of Minutes

1. Moved by James, second by Amy, carried unanimously

B. CLE program

1. Greg reported the CLE is scheduled for November 18, 10:00-12:00. There are two panels: data security (ransomware) and developments in e-discovery (recent case law; remote work and maintaining data). Greg described a DOJ report that says under current law facilitating privacy-enhanced crypto-currency payments may violate existing law give the existence of a list of prohibited recipients. Amy noted there is a Treasury Department OFAC list of Specially Designated Nationals and Blocked Persons List (SDN).

C. Introductions of section members for the benefit of new members

D. Report on Section web page

1. The webpage is current for meeting times and minutes. James asked Ayesha Bennett about compiling additional materials for the webpage and will follow up.

II. New Business

A. Discussion of recent e-discovery and technology law developments

1. In addition to the ransomware discussion earlier—
2. James reported that a month ago Universal Health Services in King of Prussia was the target of a massive cyberattack that affected over 400 of its hospitals. It is not clear that it was a ransomware attack or whether there was a data breach. There has been no claim of responsibility.
3. Amy noted that she works with data in China and can report more on that topic at our next meeting.

4. James reported that his firm served subpoenas on a company in Israel. They sent subpoenas for service via FedEx and had a quick response to get the correct documents, which is unusual in international discovery.
5. Sara Beth reported on the Ghislaine Maxwell deposition that had redaction problems. Insufficient redactions in the index made prominent names discernable.
6. Brian discussed domain name ownership issues. Since passage of the EU GDPR law, the ownership information on the WhoIs database has been blacked out. Registries in the U.S. have been exempted from liability for website content because it was possible to determine and pursue the owner of a website. This has created tension between the U.S. and Europe.
- 7.

III. Adjournment: On Motion by Amy and second by Greg, carried unanimously, the meeting was adjourned. Our next meeting is January 27, 2021, at 12:00 noon

Respectfully submitted,

Bruce McCullough