

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

**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 ó 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 technologyô 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