



Twin Cities ARMA Chapter

Tuesday, February 9, 2021

12:00-1:00 (CST)

WEBINAR

Virtual Meetings and Ephemeral Messaging, Can they be Governed?

Guest Speakers: Ronald J. Hedges and Eric Mandel

Virtual meetings and ephemeral messaging is the latest trend in business communications, with employees using third-party apps, with or without their organizations' knowledge and some organizations deploying "official" virtual meetings and ephemeral messaging systems. But if the messages and data associated with them are truly ephemeral – disappearing after they are read – how can they be integrated into a comprehensive Information Governance program, and what are the dangers if they are not?

In this one-hour virtual presentation, Eric Mandel of Driven, Inc. and Ron Hedges, Senior Counsel with Dentons US LLP will:

- Define terms and provide examples of virtual meeting platforms and ephemeral messaging systems currently on the market
- Discuss when recordings of virtual meetings may be considered business records, or otherwise within the possession, custody, or control of a party
- Present the legitimate business case for the use of virtual meetings and ephemeral messaging (and conversely, the illegitimate uses)
- Report on how courts and regulators have viewed virtual meetings and ephemeral messaging
- Discuss some proposed Information Governance "best practices" for addressing virtual meetings and ephemeral messaging and when "content" of virtual meetings might be discoverable
- Discuss requests for, objections to, and production of this data in discovery
- Open the floor up for a benchmarking session: What are some of you doing now, and what might work for your organization?



Ronald J. Hedges, Senior Counsel with Dentons US LLP.

Ron Hedges has served as a United States Magistrate Judge in the District of New Jersey for over 20 years. Ron speaks and writes on a variety of topics, many of which are related to electronic information, including procedural and substantive criminal law, information governance, litigation management, and integration of new technologies such as artificial intelligence, block chain and telemedicine into existing information governance policies and procedures. Among other things, Ron is the co-chair of the Pretrial Practice and Discovery Committee of the ABA Section of Litigation. He is the lead author of a guide for federal judges on electronically stored information, <https://www.fjc.gov/content/323370/managing-discovery-electronic-information-third-edition-2017>. Ron is also the co-senior editor of *The Sedona Conference Cooperation Proclamation, Resources for the Judiciary, Third Edition* (June 2020), <https://thesedonaconference.org/sites/default/files/Judicial%20Resources%20publication%20announcement.pdf>. His biography is available at <https://www.dentons.com/en/ronald-hedges>.



Eric P. Mandel, Driven, Inc., Minneapolis, MN

Eric Mandel is a consultant with Driven Inc., where he provides advice and guidance to clients on a wide variety of issues related to eDiscovery, information governance, data regulatory compliance, privacy and data protection. As an attorney, legal technologist, and privacy professional, Eric has spent nearly 15 years now focused on solving complex problems at the intersection of law and technology. He has served in senior leadership roles in several U.S.-based trade associations, including *The Sedona Conference*, the *EDRM Institute*, the Association of Certified E-Discovery Specialists (ACEDS), and the *Legal Technology Professionals Institute*, and is a frequent speaker on a broad range of topics within his area of expertise. Additionally, Eric has worked on numerous leading publications in the industry, including *The Sedona Principles, Third Edition*, and the BBNA Corporate Portfolio Records Retention for Enterprise Information Governance.

