

Featured Panel: CPR's E-Discovery Neutrals

The CPR Institute E-Discovery Panel comprises attorneys and E-discovery professionals who have significant experience in the matters, including knowledge of data retention and retrieval systems, corporate retention policies, and case law.

The panel's former judges and attorneys—one of 25 CPR Panels of Distinguished Neutrals—are available to assist parties and adjudicators as special masters, or in resolving E-Discovery and disputes out of court.

Charles R. Ragan, an independent mediator and arbitrator in San Francisco, Calif., and a member of CPR's E-Discovery Panel, has focused his practice since 2002 on the management of electronic information in complex business organizations, providing clients with both policy guidance and responsive advice and counsel on issues of discovery in litigation and investigations.

Ragan writes, "Fear and uncertainty about discovery scope and expense are among the largest hurdles to resolving today's commercial disputes. My knowledge of complex corporate systems from working with Fortune 100 companies and decade-long experience in E-discovery . . . can help parties tailor discovery and

navigate these obstacles to meaningful negotiations."

The neutrals with extensive E-discovery and other technical electronic backgrounds who serve on this panel acquired their experience while serving at places like the American Society of Digital Forensics; Atlanta-based eDiscovery, and AT&T Corp.

Daniel B. Garrie, of Seattle, is the Senior Managing Partner of Focused Solution Recourse Delivery Group (for details, see www.lawandforensics.com); the head of E-discovery for Alternative Resolution Centers, a Los Angeles-based provider, and a CPR E-Discovery Panel neutral. Garrie serves as a court-appointed special master in a range of information governance, forensic, and E-discovery disputes involving claims ranging from \$10 million to \$500 million.

Garrie states, "Having seen so many diverse cases presented at the convergence of the law and technology, I understand it is key to have a mediator who is accomplished in both areas. Parties and judges have noted that my ability to see the case from the lens of a lawyer and the lens of a technologist was key to the sound analysis and resolution of the situation." Garrie holds two degrees in

computer science, along with his law degree, which makes him an exceptional neutral in disputes involving the convergence of law and technology.

Scott A. Carlson, is a partner in Seyfarth Shaw's Chicago office, where he founded its eDiscovery and Information Governance Practice Group in 2004. He also is a CPR E-Discovery panel member. Seyfarth's group appears to be the largest dedicated practice group of this type in the country, with all of its members having strong technical backgrounds.

Carlson notes, "In my experience, E-discovery disputes not only persist but can grow dramatically in large part from a lack of understanding about the underlying technical issues. Having a neutral who understands both the technology and the law inevitably leads to good outcomes for both parties while controlling costs that tend to rise dramatically when trying to address these issues in the context of motion drafting and argument."

For further information about these or other CPR Panels of Distinguished Neutrals please contact Mara Weinstein, Special Projects and Panels Manager at mweinstein@cpradr.org.

—Mara Weinstein, CPR Institute

