

Electronic Documents: Records Management, e-Discovery and Trial



WeirFoulds LLP is pleased to announce the publication of Electronic Documents: Records Management, e-Discovery and Trial, February 2010.

Editors: *Bryan Finlay Q.C., Marie-Andrée Vermette and Michael Statham*
With contributions from: *Caroline Abela, Steve Doak, Paul D. Guy, Nikiforos Iatrou, Stephanie L. Turnham, David Vitale and John Wilkinson.*

Electronic data is modifying how lawyers interact, changing how information is collected and used, and transforming the courtrooms.

This in-depth resource examines and analyzes the issues relating to electronic documents, including: the sources and types of electronic documents; records management policies; the legal framework governing e-discovery in Canada; the preservation; collection; processing; review and production of electronic documents; and the use of electronic evidence at trial.

This dynamic and growing aspect of legal practice is clarified and explained with extensive reference to relevant Canadian and U.S. authorities.

"Before, during, and after litigation, practitioners and clients will need the information, advice, and recommendations found in this book. (It) provides not only a report on the past and the present of E-Discovery but also analytical tools or building blocks for solutions in the future. This is a very useful text, and I commend it to its readers."

Justice Paul M. Perell

Ontario Superior Court of Justice

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WeirFoulds LLP
The Exchange Tower
Suite 1600, P.O. Box 480
130 King Street West
Toronto, Ontario, Canada
M5X 1J5
Office 416.365.1110
Facsimile 416.365.1876
www.weirfoulds.com

This dynamic and important aspect of legal practice is clarified and explained

ELECTRONIC DOCUMENTS

Records Management, e-Discovery and Trial

Electronic data is modifying how lawyers interact, changing how information is collected and used, and transforming litigation preparation and the courtroom.

Covers the use of electronic documents in discovery, at trial and outside the context of litigation.

This in-depth resource examines and analyzes the issues relating to electronic documents, including:

- the sources and types of electronic documents
- records management policies
- the legal framework governing e-discovery
- the preservation, collection, processing, review and production of electronic documents
- the use of electronic evidence at trial

This is the most comprehensive treatise dealing with issues of e-discovery and use of electronic documents at trial.

Provides references to both Canadian and U.S. authorities

Also includes a Table of Concordance comparing the Sedona Principles, Sedona Canada Principles and Ontario e-Discovery Guidelines.



The Editors

Bryan Finlay Q.C. is a senior trial and appellate counsel. He appears before all levels of the courts and tribunals. His general litigation practice includes commercial, public law, constitutional and administrative law litigation. He has practised continuously at WeirFoulds LLP except for two years (1982 - 1984) when he acted as special litigation counsel to the Federal Department of Justice. He clerked for Justice Spence of the Supreme Court of Canada. He is an elected Fellow of the American College of Trial Lawyers and an Honorary Overseas member of the Commercial Bar Association (England and Wales). He is also the founding Chair of the Dickson Circle. He has been recognized as one of Canada's leading litigators in numerous legal publications, including as one of only 39 "Bet-The-Company" litigators from across Canada by *The Best Lawyers in Canada*.

Marie-Andrée Vermette is a partner in WeirFoulds LLP's Litigation Group. Her broad litigation practice includes high-profile corporate/commercial disputes, public law cases, securities law cases, competition law matters, complex estate cases, and numerous appeals and judicial review applications. She was involved in the litigation between Air Canada and WestJet Airlines Ltd. which raised many e-discovery issues. She has appeared before all levels of courts in Ontario, before the Federal Court of Canada and the Federal Court of Appeal, and before the Supreme Court of Canada. Prior to joining WeirFoulds, she clerked for Mr. Justice Gonthier at the Supreme Court of Canada, and received her LL.M. from Columbia University in New York where she was named a James Kent Scholar. She was recognized as one of Canada's 2008 Lexpert "Rising Stars - Leading Lawyers Under 40"

Michael Statham is a partner at WeirFoulds LLP. His practice encompasses many aspects of corporate-commercial litigation, with a particular emphasis on complex contractual disputes. Mr. Statham has specific experience in cross border commercial disputes, as well as in litigation raising issues of professional liability, taxation law, the rights and responsibilities of directors and officers, defamation, the defence of class actions and constitutional and public law. He has appeared as counsel before all levels of courts in Ontario, including the Superior Court, the Divisional Court and the Ontario Court of Appeal. Mr. Statham has also appeared before the Federal Court of Canada, and before various administrative tribunals, including the Ontario Securities Commission.

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