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# Ethical Obligations in the Modern Era





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# Faculty



Stacy Jackson – Corporate Counsel, IE Discovery, Inc.



Jason Baron – Direction of Litigation, National Archives and Records Administration



Shawn Cheadle - General Counsel, S&NS Lockheed Martin Space Systems



Aryeh Friedman – Senior Privacy & Compliance Leader, Dun & Bradstreet



# Overview

- Competence
- Asymmetrical Search
- Social Media & Privacy
- Ethics & The Cloud

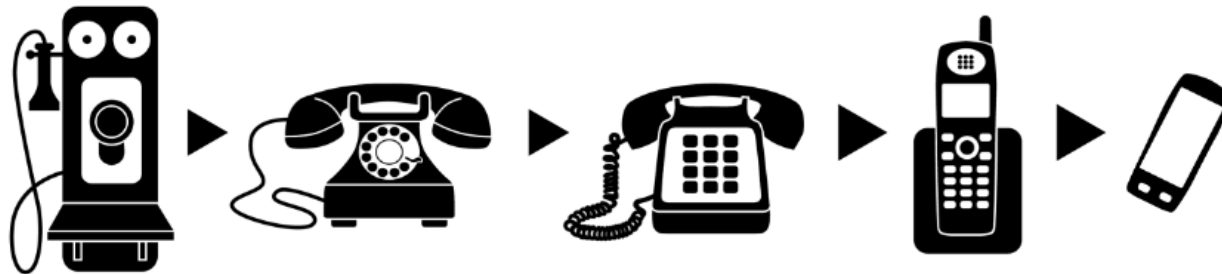


# The Problem

The New York Times

## The Opinion Pages

The current volume estimate of all electronic information is roughly 1.2 zettabytes, the amount of data that would be generated by everyone in the world posting messages on Twitter continuously for a century. That includes everything from e-mail to YouTube. More stunning: 75 percent of the information is duplicative. By 2020, experts estimate that the volume will be 44 times greater than it was in 2009. There finally may be, in fact, T.M.I.





## Competence

- ABA Rule 1.1: A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.



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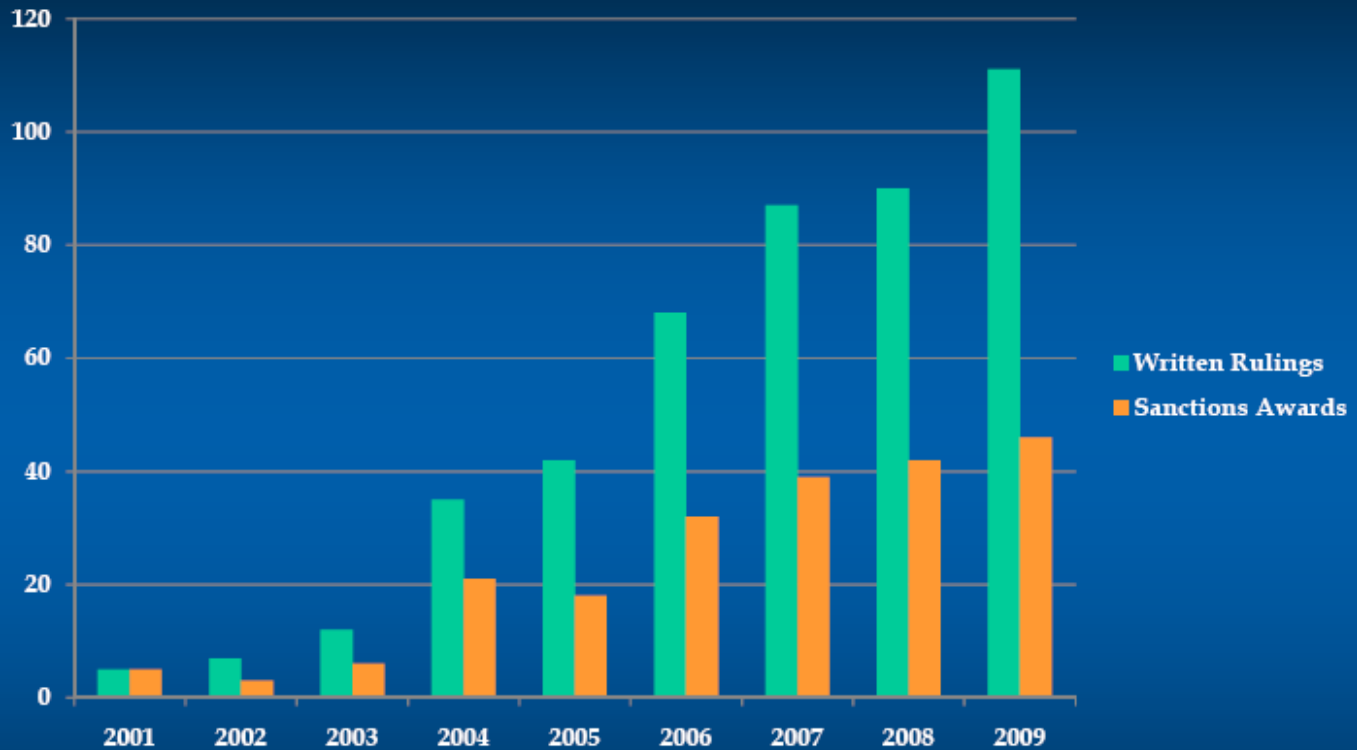
**ACC** Association of  
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*Gone Are the “Good Ol’ Days”*





# E-Discovery Sanctions



Duke Law Journal, December 2010



# Hitting Lawyers Where It Hurts

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HO-CHUAN CHEN and HOSSEIN BARAHIMI,  <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> LINDA DOUGHERTY, et al.,  <p style="text-align: right;">Defendants.</p> <hr/> HOSSEIN BARAHIMI,  <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> KING COUNTY ROADS SERVICES DIVISION and SUE OSTERHOUDT,  <p style="text-align: right;">Defendants.</p>	No. C04-987 MJP  ORDER ON MOTIONS FOR ATTORNEYS' FEES
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This matter comes before the Court on Plaintiffs' motions for attorneys' fees. (Dkt. Nos. 531 & 546.) Having reviewed the motions, Defendants' response, (Dkt. No. 547), Plaintiffs' replies,

ORDER - 1

*Chen v. Dougherty*, 2009 WL 1938961 (W.D. Wash July 7, 2009).

*“The Court now directs that Ms. Mindenbergs’ fee award for the hours billed on this dispute and the related discovery requests should be determined at the reduced rate of \$200 an hour. Ms. Mindenbergs’ inhibited ability to participate meaningfully in electronic discovery tells the Court that she has novice skills in this area and cannot command the rate of experienced counsel.”*





## Competence

- You must be competent with regard to technology so that you can:
  - Cooperate
  - Preserve and Identify Evidence
  - Supervise Attorneys & Non-Attorneys



## Cooperation

- ABA Rule 1.1 - Competence
- ABA Rule 3.2 - Expediting Litigation
- ABA Rule 3.4 - Fairness to Opposing Counsel
- Fed. R. Civ. P. 1 – Speedy and Inexpensive Resolution
- Fed. R. Civ. P. 26(g) – Discovery Certifications



## *The Cooperation Proclamation*

- *Issued in 2008*
- *Has received numerous judicial endorsements.*
  - [http://www.thesedonacconference.org/content/tsc\\_cooperation\\_proclamation/endorsements.pdf](http://www.thesedonacconference.org/content/tsc_cooperation_proclamation/endorsements.pdf)





# Co-Opetition



## 1. co-opetition

1. the act of helping a rival in order to benefit yourself
2. chosing to help a rival for personal gain
3. more "race talk" drivel from NASCAR announcers

*"With 20 laps to go, looks like we're going to start seeing some co-opetition."*



## *Preserving and Identifying Evidence*

- *ABA Rule 1.3 - Diligence and Promptness*
  - *ABA Rule 3.3 - Candor to the Tribunal*
- *ABA Rule 3.4 - Fairness to Opposing Counsel*



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*Pension Comm. of the Univ. of Montreal Pension Plan v. Banc of Am. Sec., LLC*, 685 F. Supp. 2d 456 (S.D.N.Y. 2010) and 269 F.R.D. 497 (D. Md. pt. 9, 2010).

*“By now, it should be abundantly clear that the duty to preserve means what it says and that a failure to preserve records - paper or electronic - and to search in the right places for those records, will inevitably result in the spoliation of evidence.”*



## Preservation & Identification Checklist



*Talk to IT as soon as humanly possible*



*Talk to key custodians*



*Follow up and monitor*



*Document your efforts*



*Do not appear sluggish*



## *Supervision*

- *ABA Rule 5.1 – Responsibilities of Partners, Managers or Supervisory Lawyers*
- *ABA Rule 5.3 – Responsibilities Regarding Non-Lawyer Assistants*





*Diabetes Centers of America, Inc. v.  
Healthpia America, Inc.*



*“[T]he task of searching Plaintiff’s records for relevant emails in response to Defendants’ discovery request was entrusted to a junior associate. It is apparent that the associate worked with little or no direction or supervision. The search terms used by the associate were inadequate—they did not even include the term ‘phone’—and as a result, she failed to locate or perceive the significance of the emails.”*



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# *Qualcomm Inc. v. Broadcom Corp.*





# Duty to Supervise Non-Attorneys



**V.**

**McDermott  
Will & Emery**

**Forbes**

TECH | 8/19/2011 @ 1:29PM | 200 views

**Privilege Waived? Federal Court  
Says Don't Blame Your  
Electronic Discovery Vendor**

Thorncreek Apartments III, LLC v. Village of Park Forest (N.D. Ill. Aug. 9, 2011)



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# Checklist for Supervising Attorneys



*Provide adequate training*



*Communicate*



*Quality Control and Assurance*



*Closely Supervise Non-Attorneys*



*Supervise Vendors*



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# *Checklist to Avoid Finger Pointing*



*Clear Division of Responsibility*



*Closely Supervise Non-Attorneys*



## Search

- *ABA Rule 1.1 – Competence*
- *ABA Rule 5.1 & 5.3 – Duty to Supervise*
- *Fed. R. Civ. P. 26(g) – Discovery Certifications*



## *In re Fannie Mae Litigation*, 552 F.3d 814 (D.C. Cir. 2009).

Upholding contempt citation against government agency where it failed to meet extended, agreed-upon deadlines, after committing to produce all non-privileged documents responsive to 400 search terms, which yielded a review set consisting of 660,000 documents that needed to be, but could not be, reviewed in time, and cost \$6 million, or 9% of the agency's annual budget.



## Seven Seas Cruises



[A]lthough the Defendants have repeatedly failed to conduct adequate ESI searches, there is relatively little evidence in the record that such failure was due to the Defendants' attempt to either hide or not disclose potentially relevant material. Rather, the record supports the conclusion that the *Defendants' failure in this area is the result of a lack of familiarity and/or training in searching for and producing ESI.* However, at this point, the Defendants inability to still conduct E-Discovery borders is inexcusable. Indeed after this Court's January 19th Order, if not before, *the Defendants should have reasonably known that they needed to retain an E-discovery consultant* to ensure that they properly conducted their ESI searches.





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*Am I?*



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# Ethical Considerations of the Asymmetrical Search



*Jason Baron*

Direction of Litigation  
National Archives and  
Records Administration



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# **Ethical Obligations Related to Privacy and Social Media**

Aryeh Friedman

Senior Privacy and Compliance  
Leader

Dun & Bradstreet



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# Defining Privacy, Social Media and Ethics





# Privacy

- Definitions of privacy can differ across individuals and cultures.
  - Warren and Brandeis, Harvard Law Review (1890): “the right to be let alone” which encompasses control over information about oneself
  - The European Union in a 2011 paper focused on the “right to be forgotten,” *i.e.* the right of individuals to have their data no longer processed and deleted when they are no longer needed for legitimate purposes.
- Focus here is on Data and Information Privacy
  - Personally Identifiable Information.



# Global Privacy Laws

- Comprehensive v. Sectoral Laws
- United States – Sectoral
  - Federal : FTC jurisdiction over “unfair and deceptive acts and practices” as well as sectoral laws such as GLBA
  - Similar state/territory laws
- In all European Union (EU) / European Economic Area (EEA) countries (27 total): Comprehensive
- In 10 Latin American countries
- In 16 APAC countries
- In 3 AfME countries
- Canada (PIPEDA)



## Social Media

- Social media is a category of online media where people are talking, participating, sharing and networking.
- There is a wide variety of social media, ranging from social sharing sites such as YouTube and Flickr, through social networks such as LinkedIn and Facebook, and other media including blogs, twitter and crowdsourcing and location tracking.



# Ethics

- **Privacy and Ethics:** Ethical issues arise with gathering information, assessing its accuracy, correcting it and disclosing it, including:
  - Deciding which categories of personal and private information a person is entitled to gather.
  - The confidential treatment of such information. *Security* issues (administrative, technical and physical safeguards).
  - The accuracy of information.
  - The purposes for which various categories of information may be used. That is whether a person collecting private information may use it for any other reasons than the original reason given for the gathering thereof. Relating thereto is whether the person must be *notified* about the way in which personal information is going to be used.
  - The rights of a person in terms of the use and distribution of one's personal and private information. This ethical problem is that of *consent* of the user to the use of personal information. Related thereto is the right of the person to know who is using their personal information and for what purposes?
- **Privacy and Professional Ethics:**
  - Confidentiality of disclosures during physician-patient, priest-penitent, attorney-client relationships.





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# Duty to Maintain Confidentiality





# Electronic Devices and Confidentiality

- Computers, printers, copiers, scanners, cellular phones, personal digital assistants, flash drives, memory sticks, facsimile machines and other electronic or digital devices contain hard drives or other data storage media that can store sensitive information
- *E.g.*, CBS April 19, 2010, 60 Minutes Report on used photocopiers being resold with hard drives containing images of every document copied, scanned, or emailed by the machine. For an attorney that would include privileged information as well as sensitive personal information such as social security numbers, birth certificates, bank records and income tax forms.



## ABA Model Rules of Professional Conduct

- Model Rule 1.1: “A lawyer shall provide competent representation to a client” – knowledge of current technology
- Model Rule 1.6 (Duty of Confidentiality) requires that a “lawyer shall not reveal information relating to representation of a client, including information protected by the attorney-client privilege under applicable law, unless the client gives informed consent ...”
- Model Rule 1.15: Client property should be “appropriately safeguarded.”



## Ethics Opinion, Fla. Bar Prof'l Comm. Op. 10-2, revised opinion issued 12/13/10

- A lawyer who chooses to use devices such as printers, copiers, scanners, and facsimile machines must take reasonable steps to ensure that client confidentiality is maintained and that the device is sanitized before disposition, including:
  - identification of the potential threat to confidentiality along with the development and implementation of policies to address the potential threat to confidentiality;
  - inventory of the Devices that contain Hard Drives or other Storage Media;
  - supervision of non-lawyers to obtain adequate assurances that confidentiality will be maintained; and
  - responsibility for sanitization of the Device by requiring meaningful assurances from the vendor at the intake of the Device and confirmation or certification of the sanitization at the disposition of the Device.



# ABA's Recommendations in the ABA Issues Paper

- September 20, 2010, the ABA Commission on Ethics 20/20 Working Group on the Implications of New Technologies issued for comment its "Issues Paper Concerning Client Confidentiality and Lawyers' Use of Technology."

## **Recommendations:**

- Provide adequate physical protection for devices (e.g., laptops) or having methods for deleting data remotely in the event that a device is lost or stolen
- Encourage the use of strong passwords
- Purge data from devices before they are replaced (e.g., computers, smart phones, and copiers with scanners)
- Install appropriate safeguards against malware (e.g., virus protection, spyware protection)



## ABA's Recommendations (cont'd)

- Install adequate firewalls to prevent unauthorized access to locally stored data
- Ensure frequent backups of data
- Update computer operating systems to ensure that they contain the latest security protections
- Configure software and network settings to minimize security risks
- Encrypt sensitive information, and identify (and, when appropriate, eliminate) metadata from electronic documents before sending them
- Avoid “wifi hotspots” in public places as a means of transmitting confidential information (e.g., sending an email to a client)



## California State Bar Formal Opinion 2010-179

- Using technology to transmit or store confidential client information.
  - In this matter involved wi-fi.
- The attorney's ability to assess the level of security afforded by the technology including:
  - Consideration of how the particular technology differs from other media use;
  - Whether reasonable precautions may be taken when using the technology to increase the level of security;
  - Limitations on who is permitted to monitor the use of the technology, to what extent and on what grounds
- Legal ramifications to third parties of intercepting, accessing or exceeding authorized use of another person's electronic information;
- The degree of sensitivity of the information;
- Possible impact on the client of an inadvertent disclosure of privileged or confidential information or work product;
- The urgency of the situation; and
- The client's instructions and circumstances.



## Blogs and Client Confidentiality

- The Legal Profession Blog (2009) reported the filing of a complaint that alleged improper disclosure of confidential client information on a blog: [http://lawprofessors.typepad.com/legal\\_profession/2009/09/wave-of-the-future.html](http://lawprofessors.typepad.com/legal_profession/2009/09/wave-of-the-future.html):
  - “Respondent was an assistant public defender ... Between June 2007, and April 2008, Respondent wrote and published an Internet web log ... Respondent’s blog was open to the public and was not password-protected. On or about March 14, 2008, Respondent represented a college student in relation to allegations that he possessed a controlled substance. [That day] Respondent published the following entry on her blog: #127409 (the client’s jail identification number) This stupid kid is taking the rap for his drug-dealing dirtbag of an older brother because "he’s no snitch." ... My client is in college. Just goes to show you that higher education does not imply that you have any sense.”
  - Other incidents alleged as well.





## E-Mails: NYSBA Opinion 820 (2/8/08)

- E-Mail Service Provider that Scans E-mails by computer for keywords and sends or displays computer-generated ads
- NYSBA concluded that: “A lawyer may use an e-mail service provider that conducts computer scans of e-mails to generate computer advertising, where the e-mails are not reviewed by or provided to other individuals. ”



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# Other Ethical Obligations When Using Social Media





## Social Networks and Expectations of Privacy: Romano v. Steelcase (Sept 21, 2010) (NY Supreme Court)

- Defendant sought access to plaintiff's current and historic Facebook and MySpace pages contending that contrary to PI's claim that she sustained permanent injuries and that these injuries affected her enjoyment of life, a review of the public portions of plaintiff's MySpace and Facebook pages revealed that PI had an active lifestyle and had traveled during the time period she claimed that her injuries prohibited such activity.
- Court held that "as neither Facebook nor MySpace guarantee complete privacy, plaintiff has no legitimate reasonable expectation of privacy... when plaintiff created her Facebook and MySpace accounts, she consented to the fact that her personal information would be shared with others, notwithstanding her privacy settings. Indeed, that is the very nature and purpose of these social networking sites, else they would cease to exist."



## Can a lawyer access the social network site of an adverse party/witness? ABA Model Rules:

- **4.1:** “In the course of representing a client, a lawyer shall not knowingly make a false statement of fact or law to a third person”
- **4.2:** prohibits a lawyer from communicating with a represented party about the subject of the representation absent prior consent from the represented party’s lawyer.
- **4.3:** (if the party is not represented by counsel): prohibits a lawyer from stating or implying that (s)he is disinterested, requires the lawyer to correct any misunderstanding as to the lawyer’s role, and prohibits the lawyer from giving legal advice other than to secure counsel if the other parties’ interests are likely to conflict with those of lawyer’s client.
- **8.4(c):** it is professional misconduct for a lawyer to encourage dishonesty, fraud, deceit or misrepresentation.



## Philadelphia Bar Association Professional Guidance Committee (2009-02) (March 2009)

- **Issue:** Attorney proposed to ask a third person, who a non-party witness does not know to go to her Facebook and Myspace websites and seek to “friend” her. The third person would state only truthful information, for example, his or her true name, but would not reveal that he or she is affiliated with the lawyer or the true purpose for which he or she is seeking access, namely, to provide the information posted on the pages to a lawyer for possible use antagonistic to the witness.
- **Ruling:** The proposed course of conduct contemplated by the inquirer would violate Rule 8.4(c) because the planned communication by the third party with the witness is deceptive by omission -- that the third party who asks to be allowed access to the witness’s pages is doing so to obtain information and share it with a lawyer for use in a lawsuit to impeach her testimony.



## NYSBA Comm. On Prof's Ethics, Op.843 (9/10/10)

- **Issue:** May a lawyer view and access the Facebook or MySpace pages of a party other than his or her client in pending litigation in order to secure information about that party for use in the lawsuit, including impeachment material, if the lawyer does not "friend" the party and instead relies on public pages posted by the party that are accessible to all members in the network?
- **Ruling:** A lawyer who represents a client in a pending litigation, and who has access to the Facebook or MySpace network used by another party in litigation, may access and review the public social network pages of that party to search for potential impeachment material. As long as the lawyer does not "friend" the other party or direct a third person to do so, accessing the social network pages of the party will not violate Rule 8.4 (prohibiting deceptive or misleading conduct), Rule 4.1 (prohibiting false statements of fact or law), or Rule 5.3(b)(1) (imposing responsibility on lawyers for unethical conduct by nonlawyers acting at their direction).



## City of New York Committee on Professional and Judicial Ethics Op. Formal Opinion 2010-2(2010)

- **Issue:** May a lawyer, either directly or through an agent, contact an unrepresented person through a social networking website and request permission to access her web page to obtain information for use in litigation?
- **Ruling:** Ethical rules are violated whenever an attorney “friends” an individual under false pretenses to obtain evidence from a social networking website... it does not matter whether the lawyer employs an agent, such as an investigator, to engage in the ruse ... Because non-deceptive means of communication ordinarily are available to obtain information on a social networking page -- through ordinary discovery of the targeted individual or of the social networking sites themselves -- trickery cannot be justified as a necessary last resort.



## San Diego County Bar Association Opinion 2011-2 (May 24, 2011)

- **Issue:** Attorney sends out a “friending” request to two high-ranking company employees identified as being dissatisfied with the employer and therefore likely to make disparaging comments about the employer on their social media page. The friend request gives only Attorney’s name. Attorney is concerned that those employees, out of concern for their jobs, may not be as forthcoming with their opinions in depositions and intends to use any relevant information he obtains from these social media sites to advance the interests of Client in the litigation.
- **Ruling** Ethical rules bar an attorney from making an ex parte friend request of the two employees who are represented party. This is impermissible no matter what words are used in the communication. Furthermore, the attorney’s duty not to deceive prohibits him from making a friend request even of unrepresented witnesses without disclosing the purpose of the request.





## May a lawyer conduct research on a juror on Twitter, Facebook and other social networking sites?

- NYCLA Formal Opinion 743 (May 18, 2011)
- NY's version of Model Rule 3.5(a): a lawyer shall not "communicate ... with a member of the jury venire from which the jury will be selected for the trial of a case, or, during the trial of a case with any member of the jury unless authorized to do so by law or court order."
- Ruling: It is proper and ethical ... for a lawyer to undertake a pretrial search of a prospective juror's social networking site, provided that there is no contact or communication with the prospective juror and the lawyer does not seek to "friend" jurors, subscribe to their Twitter accounts, send jurors tweets or otherwise contact them. During the evidentiary or deliberation phases of a trial, a lawyer may visit the publicly available Twitter, Facebook or other social networking site of a juror but must not "friend" the juror, email, send tweets to the juror or otherwise communicate in any way with the juror or act in any way by which the juror becomes aware of the monitoring. Moreover, the lawyer may not make any misrepresentations or engage in deceit, directly or indirectly, in reviewing juror social networking sites.



# Electronic Monitoring

- **Electronic Monitoring Devices**
  - Using computer monitoring products to track web use, observe downloaded files.
  - E-mail monitoring in the workplace
  - A truth-telling device that links to a telephone..
  - GSP systems allowing firms to track vehicles.
  - A pocket recording pen or pinhole lens camera pens
- **Ethical Issues**
  - Monitoring as part of internal and external investigation
    - Expectations of privacy
    - Recording and state and federal laws requiring one/two party consents
  - Workplace: Does the employee's right to privacy outweighs the employer's right to administer the workplace ?



## *City of Ontario, California v. Quon (US Sup. Ct, 2010)*

- City asked its wireless service provider for details about text messages because Quon regularly exceeded the contracted for monthly limit.
- Texts revealed that he had sent numerous personal messages, some sexually explicit. Quon was disciplined.
- City's Computer Policy stated that users "should have no expectations of privacy or confidentiality" when using city computers. Employees were told this policy extended to communications devices furnished by the city as well.
- Supreme Court held that a public employer's examination of an employee's personal text messages on a government-issued pager did not violate the Fourth Amendment.
  - Court noted that this would similarly be regarded as "reasonable and normal in the private-employer context."



## *Stengart v. Loving Care* (Supreme Court, Appellate Div. NJ 2010)

- The company captured webmail-based e-mails Stengart had sent via her personal password-protected Yahoo account to her lawyers.
- Company policy stated the it may review, access, and disclose "all matters on the company's media systems and services at any time," and also stated that e-mail, Internet communications and computer files are the company's business records and are "not to be considered private and personal" to employees. It also stated "occasional personal use is permitted."
- Court held the employee had an expectation of e-mail privacy and confidentiality because she used a personal Webmail account not the corporate e-mail system



# Investigative Techniques Using False Pretenses

- Investigators may use pretexting (using false pretenses) as a means of gathering information, e.g. to determine whether unlawful conduct has been committed or whether company policy has been violated.
- Hewlett-Packard (2006): In that matter it was alleged that investigators had used false pretenses to obtain the phone records of journalists and board members in an elaborate effort to uncover the source of boardroom media leaks.
- State legislation and federal legislation:
  - Federal: the Telephone Records and Privacy Protection Act of 2006 – phone records
  - The Gramm-Leach-Bliley Act (GLBA) prohibits pretexting related to records from financial institutions
  - State laws – e.g. California, which applies to the use of pretexting to obtain telephone records only; it does not apply to other forms of private information.



## Ethical issues

- Model Rules 4.1 and 8.4 (c) govern the propriety of a lawyer engaging in certain kinds of investigative conduct that might be thought to be deceitful.
- The New York Lawyers' Association Committee on Professional Ethics, in its Formal Opinion No. 737 (May, 2007), approved the use of deception, but limited such use to investigation of civil right or intellectual property right violations where the lawyer believes a violation is taking place or is imminent, other means are not available to obtain evidence and rights of third parties are not violated.
- Some states have endorsed the absolute reach of Rule 8.4. In *People v. Pautler*, 47 P. 3d 1175 (Colo. 2002), for example, the Colorado Supreme Court held that no deception whatever is allowed. The Oregon Supreme Court in *In Re Gatti*, 8 P3d 966 (Ore 2000), adopted a similar interpretation but Rule 8.4(c) was then amended to allow deception for certain types of investigations.



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# Legal Advice Using Social Media





# Providing Legal Advice Online

- Model Rule 5.5: “a lawyer shall not practice law in a jurisdiction in violation of the regulations of the legal profession in that jurisdiction.”
- Model Rule 1.7-1.9 (Conflicts of Interest).
- Commenting on a blog, offering advice on a social media page or in posts
- Conflicts between posts and a client’s position on an issue
- State Bar Ariz. Formal Ethics Op. 97-04 (1997): “Lawyers should not answer specific questions from lay people through the Internet unless the question presented is of a general nature and the advice given is not fact-specific.”





## Online Solicitation of Clients

- Model Rule 7.1: “a lawyer shall not make a false or misleading communication about the lawyer or the lawyer’s services. A communication is false or misleading if it contains a material misrepresentation of law or fact, or omits a fact necessary to make the statement considered as a whole not materially misleading.”
- Model Rule 7.3: “an attorney shall not by in-person, live telephone or real time electronic contact solicit professional employment from a prospective client when a significant motive for the lawyer’s doing so is pecuniary gain.”
- Blogs
- Advertising in your profile; testimonials/ recommendations



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# **Ethical in the Cloud: What In-Counsel *Should* Know**

Shawn Cheadle

General Counsel, S&NS

Lockheed Martin Space Systems

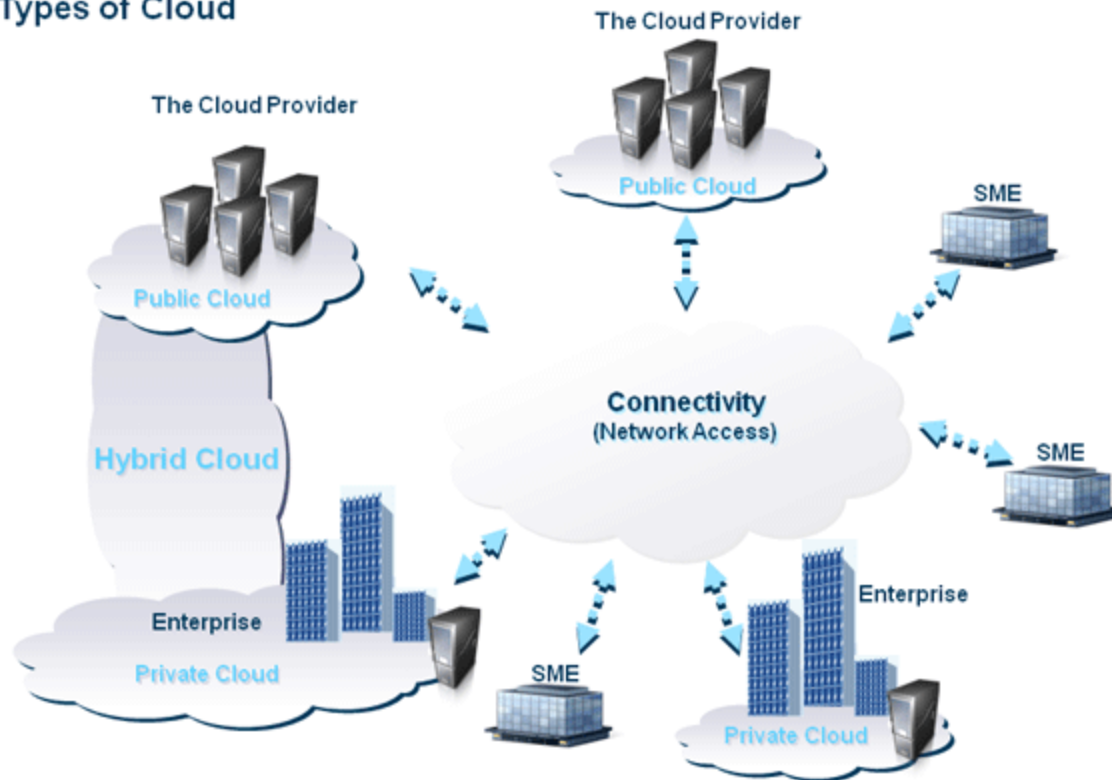


# Defining the Cloud: Where is our data?



# The Cloud Defined

## Types of Cloud





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# What is your definition of cloud computing?

*"In many ways it's a service-oriented architecture whereby the underlying hardware and software services are being run but not managed or housed by me or my agency.*

*It's a ubiquitous service that we can access from any of our locations."*

*-- (Associate Director, HHS)*





## Future Beyond the Cloud

- *Autonomic Resource Allocation (ARA) is the “What’s next” after cloud computing.*
- *The Distributed Infrastructure Computing Environment (DICE) ARA architecture is statistically superior to Centralized, Distributed and Cloud Architectures. (Sahlin 2011)*



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# Protecting Data in the Cloud





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Caution! Social Networking Web Site - Windows Internet Explorer

http://www.facebook.com/theresa.stephan1 Theresa Stephan Illinois

File Edit View Favorites Tools Help

## Caution! Social Networking Web Site

This Web site is categorized as "Social Networking". Employees are accountable for their actions whenever using Social Networking Web sites. Accessing or posting information on this Web site may pose or create a risk to you and to Lockheed Martin.

- **Do not use Social Networking Web sites for conducting Lockheed Martin work-related activities** unless you are authorized by your management per CPS-206, Social Media, to use them to perform your job, as is the case for certain R&D, HR, and Communications sponsored activities.
- **Do not post or exchange Lockheed Martin sensitive information**, including information about employees, associates, programs or specific technologies. Only use Lockheed Martin authorized sites or systems for secure exchange of sensitive information.
- **Do not post Export Controlled information**, including Information that is required for design, development, production, manufacture, assembly, operation, repair, testing, maintenance, or modification of defense or controlled articles...engineering 'know-how'.
- **Do not click on unknown or untrusted links** within these Web sites as they may contain malicious software used to compromise computing resources.
- **Be cautious about posting personal information** to these Web sites, as the information may be used for malicious purposes.
- **Be aware** that the default user and/or privacy settings are likely to result in broad sharing of any information that you post. Be sure to read the Web site's privacy policy to understand how information you post can be accessed, used, and shared.
- **Employees must adhere to** [CPS-710, Protection of Sensitive Information](#); [CPS-007, Personal Use of Lockheed Martin Assets](#); [CPS-206, Social Media](#) and other applicable policies.

Visit the iSAFE Web site for [more information on the risks associated with Social Networking Web sites](#).

This is a reminder that all Lockheed Martin Internet access is logged and may be monitored.

URL: <http://www.facebook.com/theresa.stephan1>

To access this Social Networking Web site, click on the below statement.

[I understand and accept responsibility for the above policies and guidance and would like to proceed to the Social Networking Web site.](#)

If assistance is required please contact the Lockheed Martin Service Desk at 1-800-435-7063.

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