

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: ESTABLISHMENT OF)
A PANEL OF SPECIAL MASTERS) 10-mc-324
FOR ELECTRONIC DISCOVERY)

ADMINISTRATIVE ORDER

WHEREAS, on November 16, 2010, the Board of Judges approved the establishment of a list of attorneys with expertise in electronic discovery to serve as Special Masters upon appointment by the Court (*See* Docket No. [1]);

WHEREAS, the criteria for appointment to that list of attorneys was established in the aforementioned order of November 16, 2010;

WHEREAS, on March 30, 2011, the Board of Judges approved the use of this Court's list of Special Masters for electronic discovery by judges of the United States Bankruptcy Court for the Western District of Pennsylvania (*See* 2:11-mc-94, Docket No. [1]);

WHEREAS, the Board of Judges is now considering an amendment of the criteria for appointment as an electronic discovery Special Master for the United States District Court for the Western District of Pennsylvania such that all future applicants as an electronic discovery Special Master shall meet the following criteria prior to being added to the list of Electronic Discovery Special Masters:

1. Active Bar Admission,
2. Demonstrated litigation experience,
3. Demonstrated electronic discovery knowledge, training and experience, including three (3) or more of the following:

(a) Significant experience as a responsible or principal attorney in no less than five (5) federal and/or state court cases which involved significant e-discovery issues (i.e. issues regarding the scope of e-discovery, identification and preservation of ESI, processing, review and production of ESI, preparation of ESI protocols, ESI search and retrieval techniques and strategies, legacy and back-up ESI, privilege and Clawback agreements or orders, and/or cost sharing agreements). Applicants will be expected to provide the court and docket number of those cases they will rely upon for satisfaction of this criterion;

(b) Presenting, either singularly or as a panelist, no less than ten (10) hours of dedicated CLE instruction addressing e-discovery and ESI in the three (3) years prior to application. Alternatively, applicants may substitute experience teaching at least one (1) semester-long electronic discovery related course at an accredited law school. Applicants will be expected to provide the date, title, course description or syllabus of any CLE program or e-discovery course they will rely upon for satisfaction of this criterion;

(c) Authorship of at least two (2) articles, blogs and/or other publications addressing current e-discovery and ESI issues. Applicants should submit copies of these exemplars with their application;

(d) Participation, with an emphasis on leadership positions, in any national, state or local bar association committee, section, or other organization that addresses electronic discovery trends and ESI issues. Applicants should list those affiliations, as well as the nature of any leadership position(s) and the dates they were held; or

(e) Previous experience as an Electronic Discovery Special Master in any federal or state court. Applicants will be expected to provide the court and docket number of those cases they will rely upon for satisfaction of this criterion; and

4. Mediation and/or other Alternative Dispute Resolution (ADR) training and/or experience;

WHEREAS, an electronic mail message will be sent through the Court's CM/ECF system notifying qualified attorneys that applications will be accepted by the Court through April 15, 2016;

WHEREAS, applications will be reviewed by members of the Court's Case Management/ADR Committee for approval;

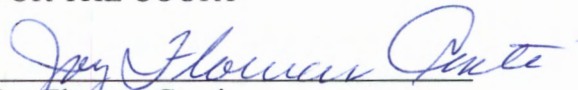
WHEREAS, all newly approved Electronic Discovery Special Masters will be required to attend an orientation session as directed; and

WHEREAS, all previously approved Electronic Discovery Special Masters will be deemed to have satisfied the instant amended criteria;

THEREFORE, IT IS HEREBY ORDERED THAT, effective the date of this order, the criteria for selection as an Electronic Discovery Special Master in the United States District Court for the Western District of Pennsylvania shall be amended as stated.

FOR THE COURT

July 26, 2016
Date


Joy Flowers Conti
Chief Judge