

## Lauren E. Schwartzreich

Shareholder

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### Focus Areas

eDiscovery  
Class Action  
Wage and Hour  
AI and Technology  
Unfair Competition and Trade Secrets

### Overview

Lauren E. Schwartzreich is a nationally recognized thought leader and practitioner in electronic discovery, helping small organizations to multinational corporations strategically approach litigation discovery in a cost-effective and efficient manner.

Lauren provides clients with practical and innovative solutions to the ever-evolving and complex issues surrounding the intersection of law, data, and technology, including with respect to: developing proportional preservation practices, creating strategies for efficient and effective data harvesting, leveraging structured data to tell persuasive stories, implementing cost-shifting/cost-reducing strategies, negotiating discovery disputes, triaging data loss events, facilitating admission of electronic evidence at trial, leading multifaceted forensic investigations of data exfiltration and misappropriation of trade secrets, overseeing forensic consultants and experts, and leading eDiscovery conflicts to successful resolution. She also advises clients on best practices for emerging technologies, including ephemeral messaging, channel-based communications, and cloud-based systems. Lauren has extensive courtroom experience and thinks holistically about eDiscovery issues, keeping clients' needs for cost reduction, predictability, legal compliance, and efficiency top of mind.

Lauren frequently litigates eDiscovery issues in large class, collective, and California PAGA actions, including serving as the lead eDiscovery liaison to the firm's award-winning Littler CaseSmart® program, which is a data-driven and technology-focused approach to delivering legal services. Lauren's unique experience as a former plaintiff-side

employment class action litigator allows her to approach cases with an eye toward her adversaries' eDiscovery strategies, enabling her to stay a step ahead on data and evidentiary issues and build eDiscovery credibility with opposing parties and the courts.

Lauren holds leadership positions within the eDiscovery legal community, including as a member of The Sedona Conference Working Group Series Leadership Council (she also served as a Steering Committee member of Sedona, Working Group 1), and as former co-chair of the ABA's National Institute on eDiscovery. She is ranked by *Chambers USA* and *Chambers Global* and also recognized by *The Best Lawyers in America* and *Lexoligy Index* (formerly, *Who's Who Legal*), in the area of eDiscovery.

Committed to inclusion, equity, and diversity efforts in the legal and broader community, Lauren co-chairs Littler's LGBTQ + Pride Affinity Group and served on Littler's Diversity & Inclusion Council. She is a former Fellow of the Leadership Council on Legal Diversity and a former member and secretary of the New York City Bar Association's LGBTQ Rights Committee.

Lauren frequently speaks and publishes on topics related to eDiscovery, computer forensics, artificial intelligence, and litigation technology issues.

Lauren was based in Littler's New York City office before relocating to Littler's office in Denver.

## Selected Matters

- Successfully defended large distribution client against spoliation motion in discrimination class action involving over a decade of fact history and multiple data sources
- Developed preservation plan and protocol for national staffing agency's portfolio of employment matters, including for example: administrative charges, single plaintiff litigation, and class actions
- Successfully defended large retail client against sanctions related to alleged spoliation of surveillance video in single plaintiff discrimination case
- Successfully defended technology startup company against demands for production of critical source code in wage and hour class action
- Successfully defended technology company from discovery requests in class and collective action wage and hour lawsuit that would have involved incurring more than \$1 million in discovery costs, instead obtaining all relief requested on behalf of client
- In non-compete and trade secret matter involving poaching of health industry client's employees, successfully led multi-pronged investigation involving digital forensics of multiple business assets, expert analysis of security event logs across multiple data streams, and AI-assisted analysis of more than 1 million communication items, and oversaw expert analysis related to same
- Led legal strategy and oversight of briefing and forensic expert testimony in successful motion for spoliation sanctions against employee plaintiff of national transportation company

## Professional and Community Affiliations

- Member, The Sedona Conference Working Group Series Leadership Council, 2021-present
- Member, Steering Committee, Working Group on Electronic Document Retention and Production (WG1), The Sedona Conference®, January 2018-December 2020
- Program Chair, National Institute on E-Discovery, American Bar Association, 2015-2023
- Member, LGBT Rights Committee, New York City Bar Association, 2010-2012
- Former Secretary, LGBT Rights Committee, New York City Bar Association, 2010-2012

## Recognition

- Named, The Best Lawyers in America®, 2021-2025
- Ranked, E-Discovery & Information Governance, *Chambers USA*, 2021-2024
- Ranked, eDiscovery & Information Governance, *Chambers Global Guide*, 2022, 2024
- Fellow, *Leadership Council on Legal Diversity*, 2017
- Named, Thought Leaders - Commercial Litigation: eDiscovery, *Lexology Index (formerly Who's Who Legal)*, 2023-2025
- Named, Thought Leaders - USA - Commercial Litigation: eDiscovery, *Who's Who Legal*, 2023
- Named, Thought Leaders – Litigation: eDiscovery, *Who's Who Legal*, 2021
- Named, Commercial Litigation: eDiscovery Lawyers, *Who's Who Legal*, 2021-2022
- Named, Litigation: eDiscovery, *Who's Who Legal*, 2018-2020

## Education

J.D., Emory University School of Law, 2004

B.A., Emory University, 2001

## Bar Admissions

Colorado

New York

District of Columbia

## Courts

U.S. Court of Appeals, 2nd Circuit

U.S. District Court, Southern District of New York

U.S. District Court, Eastern District of New York

U.S. Court of Federal Claims

## **Publications & Press**

### **Littler Ranked in 2024 Chambers USA Guide**

*Littler Press Release*

June 6, 2024

### **Littler Recognized in 2023 Chambers USA Guide**

*Littler Press Release*

June 6, 2023

### **Littler Ranked in Chambers USA Guide 2022**

*Littler Press Release*

June 1, 2022

### **The Sedona Conference Primer on Crafting eDiscovery Requests with "Reasonable Particularity"**

*The Sedona Conference*<sup>®</sup>

January 31, 2022

### **Littler Earns Top Score in Human Rights Campaign Foundation's 2022 Corporate Equality Index**

*Littler Press Release*

January 27, 2022

### **Best Lawyers in America<sup>®</sup> 2022 Edition Honors More Than 240 Littler Lawyers**

*Littler Press Release*

August 19, 2021

### **Littler Ranked in Chambers USA Guide 2021**

*Littler Press Release*

May 27, 2021

### **Littler Appoints New Leadership to Its Affinity Groups and Diversity & Inclusion Council**

*Littler Press Release*

March 22, 2021

### **Littler Earns 13th Consecutive 100 Percent in 2021 Human Rights Campaign Foundation's Annual Scorecard on LGBTQ Workplace Equality**

*Littler Press Release*

January 28, 2021

**Best Lawyers in America© 2021 Edition Honors More Than 250 Littler Lawyers**

*Littler Press Release*

August 20, 2020

**Littler Recognized by Leadership Council on Legal Diversity as a 2019 Top Performer and Selected for the 2019 Compass Award**

*Littler Press Release*

November 1, 2019

**Why Social Media Isn't Different From Other Types of Discoverable Content**

*Legaltech News*

February 21, 2019

**Littler Names New Leadership to Its Affinity Groups and Diversity & Inclusion Council**

*Littler Press Release*

February 14, 2019

**Primer on Social Media (Second Edition)**

*The Sedona Conference®*

February 2019

**The Latest Legal News, Research and Legal Profiles**

*Who's Who Legal*

October 1, 2018

**Safely Navigating Social Media Discovery with the Sedona Conference Primer on Social Media**

*Bloomberg Law*

August 13, 2018

**Littler Names New Co-Chairs of Pride Affinity Group**

*Littler Press Release*

June 28, 2018

**Commentary on BYOD: Principles and Guidance for Developing Policies and Meeting Discovery Obligations**

*The Sedona Conference®*

May 1, 2018

**Littler's Lauren Schwartzreich Named 2017 Leadership Council on Legal Diversity Fellow**

*Littler Press Release*

March 10, 2017

**Littler Elevates 24 Attorneys**

*Littler Press Release*

January 3, 2017

**Commentary on Rule 34 and Rule 45: Possession, Custody, or Control**

*The Sedona Conference®*

August 1, 2016

**For Lawyers, Social Media Creates More Headaches Than Friendships**

*Bloomberg BNA*

November 20, 2015

**Everything About Me: Unlocking Social Media's Potential in Litigation**

*Advanced eDiscovery Institute - Georgetown University Law Center*

**E-Discovery Year in Review**

*Law.com*

February 9, 2015

**Getting There**

*Corporate Counsel*

April 1, 2014

**2013 E-Discovery Year in Review**

*Law Technology News*

January 6, 2014

**Investigation of Employee Smart Device Apps**

*Law Technology News*

April 17, 2013

**Anatomy of an Employment Class Action**

*The Sedona Conference Institute*

March 2013

**Turning the Tables on Workplace Cyber Misconduct**

*National Symposium on Technology in Labor and Employment Law, Section of Labor & Employment Law - American Bar Association*

April 25, 2012

**Social Media Evidence in Employment Litigation: Are You Prepared to Click “Like”?**

*Conference Materials*

March 2012

**Internet Evidence From Start to Finish: Consequences of Web 2.0 in Employment Litigation**

*Conference Materials*

March 2012

**Limitations to Workplace Privacy: Electronic Investigations and Monitoring**

*The Computer & Internet Lawyer*

January 2012

**The Internet is Written in Ink: Workplace Liabilities & Litigation Hurdles in the Age of Web 2.0**

*Conference Materials*

August 7, 2011

**Avoiding Pitfalls of Waiving Privilege, Creating Discoverable Evidence and Other Technological Liabilities: An Attorney/Client Checklist**

*Conference Materials*

June 29, 2011

**Employee Privacy Rights: Limitations to Monitoring, Surveillance and Other Technological Searches in the Private Workplace**

*Practising Law Institute*

April 1, 2011

**Employees’ Privacy Rights in the Digital Age**

*The New York Law Journal*

April 29, 2010

**Ethics in Social Networking for Employment Lawyers**

*Conference Materials*

March 26, 2010

**The Proportionality Test: Resolving E-Discovery Disputes in Employment Litigation**

*Conference Materials*

March 24, 2010

**Restructuring the Framework for Legal Analysis of Gay Parenting**

*Harvard BlackLetter Law Journal*, Vol. 21, No. 109

Spring 2005

## **Speaking Engagements**

### **2024 Case Law Update**

Advanced eDiscovery Institute - Georgetown University Law Center  
November 14, 2024

### **Flip the Script: Using Plaintiff's Data to Win Your Case**

Littler Executive Employer Conference, Phoenix, AZ  
May 10, 2024

### **When it Goes Off the Tracks: Mock 26(f) Conference and Anatomy of a Sanctions Motion**

Advanced eDiscovery Institute - Georgetown University Law Center  
November 9, 2023

### **Judicial Perspectives on E-Discovery**

ABA 16th Annual National Institute on eDiscovery, Live and On-Demand  
May 12, 2022

### **Voices From the Bench: Exploring the Judicial Perspective for 2020 and Beyond**

Working Group 1 Annual Meeting, The Sedona Conference®, Online  
October 29, 2020

### **FRE 502 and Preservation of Privilege**

Practising Law Institute – Trial Evidence 2020, Online  
October 22, 2020

### **The "Not Reasonably Accessible" Rule**

The Sedona Conference®, Working Group 1 Virtual Town Hall  
September 24, 2020

### **eDiscovery challenges presented by Artificial Intelligence**

The Sedona Conference, Virtual Town Hall  
July 23, 2020

### **Trending Now More than Ever: Social Media Ethics and Litigation**

ABA Section of Litigation, Virtual Section Annual Conference, Live and On-Demand  
May 5, 2020

### **Recent eDiscovery Case Law, Viewed from the Bench**

The Sedona Conference, Webinar  
April 29, 2020



**Cheap Tricks: Challenging Fabricated Evidence**

ABA 14th Annual National Virtual Institute on eDiscovery, Live and On-Demand  
April 1, 2020

**Contextual Data: The Next Wave of eDiscovery**

Advanced eDiscovery Institute - Georgetown University Law Center  
November 22, 2019

**eDiscovery Training Academy**

Georgetown University Law Center, Washington, DC  
June 4-6, 2019

**Crafting eDiscovery Requests with Specificity**

Working Group 1 Midyear Meeting - The Sedona Conference, Charlotte, NC  
May 2, 2019

**Now You See Me, Now You Don't: Discovery of Ephemeral Messages**

Thirteenth Annual National Institute on E-Discovery - American Bar Association, Chicago, IL  
April 26, 2019

**Hot Topics in eDiscovery**

Driven, Inc. Webinar  
January 23, 2019

**Balancing BYOD: Exploring The Sedona Conference® Commentary on BYOD Policies and Related Discovery**

ARMA iMasters Webinar  
July 18, 2018

**eDiscovery Training Academy**

Georgetown University Law Center, Washington, DC  
June 4-5, 2018

**Careful What You Wish For: Protecting Data Security in Discovery**

Twelfth Annual National Institute on E-Discovery - American Bar Association, Chicago, IL  
May 18, 2018

**Social Media Primer: Web 2.0 and 3.0**

Working Group 1 Annual Meeting - The Sedona Conference, Phoenix, AZ  
November 3, 2017

**eDiscovery Training Academy**

Georgetown University Law Center, Washington, DC  
June 3, 2017

**On the Move: Managing Mobile Device E-Discovery**

Eleventh Annual National Institute on E-Discovery - American Bar Association, Chicago, IL  
May 11, 2017

**Preservation and Discovery of Social Media**

Working Group 1 Midyear Meeting - The Sedona Conference, Minneapolis, MN  
May 4, 2017

**Small-Scale E-Discovery: The Goldilocks Quandary**

Tenth Annual National Institute on E-Discovery - American Bar Association  
May 20, 2016

**BYOD: Preservation and Discovery From Mobile Devices**

Working Group 1 Midyear Meeting - The Sedona Conference, Pasadena, CA  
April 13, 2016

**What Gen Z knows (and does) that you don't: #YouStillUseEmail**

Advanced eDiscovery Institute - Georgetown University Law Center  
November 20, 2015

**Discovery of ESI Involving "Bring Your Own Devices"**

Working Group 1 Annual Meeting - The Sedona Conference, Orlando, FL  
October 29, 2015

**Litigation Holds: Know When (and Where and How) to Hold 'Em**

Ninth Annual National Institute on E-Discovery - American Bar Association  
May 15, 2015

**BYOD: Preservation and Discovery of Data from Personal Devices Used in Business**

All Voices Meeting - The Sedona Conference, New Orleans, LA  
November 5, 2014

**Resolving Data Privacy Conflicts in Cross-Border Investigations and Litigation**

Annual Meeting – American Bar Association, Boston, MA  
August 8, 2014

**Social Media Discovery – Hashtags To (Legal) Holds**

National Symposium on Technology and Labor and Employment Law – American Bar Association, New York, NY  
May 2, 2014

**eDiscovery Perspectives**

Temple University Beasley School of Law, Philadelphia, PA  
April 22, 2014

**eDiscovery Privacy Concerns in North America and Abroad**

In-House Counsel Summit - ALM, Dallas, TX  
October 24, 2013

**The Cross-Border Quandary: Facilitating eDiscovery While Protecting Data Privacy**

CyBit / The Computer Forensics Show, New York, NY  
May 9, 2013

**E-Discovery: The Next Frontier**

National Symposium on Technology and Labor and Employment Law – American Bar Association, Berkeley, CA  
April 22, 2013

**Personal Devices in the Workplace... Smart, Cost-Effective or Just Risky?**

Beyond The Bottom Line, Inc. (BBL, Inc.), Nashville, TN  
March 26, 2013

**A Look Back / A Look Forward: A Legal Update of The Top Employment and Labor Issues Affecting Employers**

Senior Human Resources Forum - Tennessee Bankers Association  
March 19, 2013

**What is a Quality eDiscovery Process and How Do You Defend It?**

LegalTech New York, New York, NY  
January 29, 2013

**Ethics and Practice in E-Discovery**

Annual Meeting, Labor and Employment Section - New York State Bar Association, New York, NY  
January 25, 2013

**Cyber Crimes and the Workplace**

Symposium on Technology in the Practice & Workplace, Section of Labor and Employment Law - American Bar Association, New York, NY  
April 26, 2012

**E-Discovery: Social Media Wrinkles and New Developments**

National CLE Conference, Snowmass, CO

January 7, 2012

**A Litigator's Guide to Preserving Electronically Stored Information: The Rules and Tools for Preservation of Employee Data**

NELA Nite, New York, NY

September 21, 2011

**Investigating and Forgetting on the Web**

Annual Meeting - American Bar Association, Toronto, ON, Canada

August 7, 2011

**Identifying and Preserving Social Media and Other Electronically Stored Information**

The Legal Aid Society, New York, NY

February 26, 2011

**Mediation Strategies for Employment Disputes**

New York University School of Law, New York, NY

January 20, 2011

**Employee Privacy in Electronic Communications: New Threat to Employers? Crafting and Enforcing Policies for Work Computers and Mobile Devices**

Strafford Publications, Inc. Webinar

July 8, 2010

**E-Discovery Toolbox: Practical Tools for Engaging in E-Discovery**

Symposium on Technology in the Practice & Workplace, Section of Labor and Employment Law - American Bar Association, New York, NY

April 28, 2010

**Proportionality in Electronic Discovery**

Mid-Year Meeting - American Bar Association, Coronado, CA

March 24, 2010

**Strategies for Transparency and Cooperation in E-Discovery**

LegalTech New York, New York, NY

February 1, 2010

## **Books & Book Chapters**

- Associate Editor, *Workplace Data Law and Litigation*, Bloomberg BNA, 2013