

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®

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® 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

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

Conference Materials

March 2012

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

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