



## William T. Kellermann

### Counsel

A technology lawyer and litigator for more than 25 years, Bil helps clients execute sound and defensible identification, preservation, collection, review and production of electronically stored information for use as evidence in litigation and investigations. Matters included patent, IP, securities, white-collar criminal, commercial and employee mobility/trade-secret litigation and investigations. In addition, he assists enterprises with litigation readiness and information governance counseling focused on defensible retention and disposition programs, and structured legal hold and litigation response systems for pattern litigants in the technology and life sciences industries.

Bil's expertise includes using software to automate preservation, discovery, case assessment, and trial preparation. He is a frequent speaker on electronic evidence topics.

#### Representative Work

Advised global semiconductor company on the effect of data security monitoring and investigation practices on EU Safe Harbor Certification.

Advised American subsidiary of European company regarding US Government access to EU hosted cloud content under Patriot Act procedures (National Security Letters or FISC subpoenas).

#### Publications

"6 Often-Overlooked Cloud Security Considerations," *Legaltech News* (December 2016)

"California Attorney General Sets New Minimum Standard of Care for Data Privacy & Security," co-author, *USLAW Magazine* (Fall/Winter 2016)

"Third Circuit Affirms FTC Authority to Regulate Cybersecurity," *Data Security Law Alert* (September 2015)

"NCCoE Releases Draft of First Cybersecurity Practice Guide," *Cyberspace Law e-Bulletin* (August 2015)

"How A Data Breach Led To A 'Billboard Bomb,'" *Technology Law Alert* (June 2015)

#### San Francisco

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#### Practices/Industries

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Litigation & Dispute Resolution

Technology

Privacy, Data Security and

Information Governance

"Social Media Discovery," *Minnesota State Bar Journal* (November 2010)

"Synching Up Systems for Compliance & Litigation Readiness," *BusinessWeek* (March 2005)

### **Blog Posts**

"When does 'Delete' Really Mean Delete?" *HB Briefly* (July 2016)

"Are 'App Developers Now in Panic Mode?'" *HB Briefly* (May 2016)

"AMA Encourages Members to 'Hold Off Registering Model Aircraft,'" *HB Drone Law Blog* (December 2015)

"FAA Names Members of UAS Registration Task Force and Seeks Public Input on Proposed UAS Registration Framework," co-author, *HB Drone Law Blog* (October 2015)

"US/EU 'Safe Harbor' Agreement Ruled Invalid By EY Judge," *HB Briefly* (September 2015)

"Third Circuit Affirms FTC Authority to Regulate Cybersecurity," *HB Briefly* (September 2015)

"Scientist Suggests Drones Stress Wildlife," *HB Drone Law Blog* (August 2015)

"Preserving Your CEO's Vehicle Infotainment System Data," *HB Briefly* (August 2015)

"UAV Used To Smuggle Drugs Into prison," *HB Drone Law Blog* (August 2015)

"Court: No Expectation of Privacy in a Pocket-Dialed Conversation," *HB Briefly* (July 2015)

"Baseball Rivalry Takes the Low Road In Potential Data Hack," *HB Briefly* (June 2015)

"How a Data Breach Led to a 'Billboard Bomb'," *HB Briefly* (May 2015)

### **Presentations**

"Concurrent 1.1: Robotics, AI and the Internet of Things," co-speaker, ASU-Arkfeld Conference (March 2018)

"The Epidemic of Data Insecurity," co-speaker, 2018 Law Review Symposium (January 2018)

"Using Analytics for Legal Invoice Review," ASU-Arkfeld Legal Analytics Workshop (October 2017)

"Minority Report. How Close Are We to Predicting The Legal Technology Landscape?" The Master's Conference (April 2017)

"The Economics of eDiscovery," Sixth Annual ASU-Arkfeld eDiscovery and Digital Evidence Conference (March 2017)

"Cross Border Data Protection, Data Security & Privacy: Top of Agenda," Sandpiper Partners Innovation in eDiscovery Conference (February 2017)

"Technology 2017 including Social Media: Practical and Ethical Concerns," Sandpiper Partners Innovation in eDiscovery Conference (February 2017)

"The Impact of Data Analytics on Litigation - It's Not Just TAR Anymore," co-speaker, ASU-Arkfeld eDiscovery and Digital Evidence Conference (March 2016)

"Hacked! Not When, But If," moderator, ASU-Arkfeld eDiscovery and Digital Evidence Conference (March 2016)

"Managing the e-Discovery and Social Media Minefield – Upcoming FRCP Amendments," The Masters Conference (March 2015)

"E-Discovery in Investigations: A Different Context" and "Developments in Search," Today's General Counsel Institute – The Exchange (March 2015)

"Welcome to the Machine – The Brave New World of Litigation," Arizona State University School of Law, Arkfeld Electronic Discovery Conference (March 2015)

"Innovations in e-Discovery," Sandpiper Partners Conference (January 2015)

"ESI Essentials: Honing Technical Skills to Become a Key E-Discovery Player," ACEDS West Coast E-Discovery Summit (October 2014)

"Cutting Edge Use of Data Analytics" and "Practical Approaches to the Uncertainties and Risks of Cloud Computing," Arizona State University School of Law, Arkfeld Electronic Discovery Conference (March 2014)

"Igniting Information Governance," ACEDS Conference (October 2013)

"Selecting and Implementing an End-to-end Electronic Discovery System," International Legal Technology Association Conference (August 2013)

"Trends in Electronic Discovery," Silicon Valley Association of General Counsel meeting (July 2012)

"Electronic Discovery for Expert Witnesses," Forensic Expert Witness Association meeting (June 2011)

"Social Media Discovery," Minnesota State Bar CLE Conference (November 2010)

"Converting Electronically Stored Information Into Evidence," American Bar Association TechShow (March 2010)

"Data Collections," Women In E-Discovery Silicon Valley Chapter Meeting (February 2010)

"Best-Practices for In-house Electronic Discovery," Clearwell Inner-Circle Conference (November 2009)

"Cost-savings in Electronic Discovery," Sandpiper Partners CLE Seminar (June 2009)

"E-Discovery Processing: In-House vs. Outsourcing" and "Email Archive Management," International Litigation Support Leaders Conference (May 2008)

"Electronic Discovery and Computer Forensics," Computer and Enterprise Investigators Conference (May 2006)

### **Press**

"Upping the Ransomware Stakes," SC Magazine (June 2018)

"Privacy is the Next Security Frontier," SC Magazine (September 2017)

### **Professional Affiliations**

State Bar of California, Law Practice Technology Section

Curriculum Steering Committee, Arizona State University School of Law, Arkfeld Electronic Discovery Conference, Member

International Legal Technology Association, Member

Electronic Discovery Task Force, Santa Clara County Bar Association, Member

International Association of Privacy Professionals

### **Education**

J.D., University of San Francisco School of Law (1990)

B.S., San Francisco State University (1986)

### **Admissions and Courts**

California

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Northern District of California

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Southern District of California

### **Professional Licenses**

Certified Information Privacy Professional/United States (CIPP/US)