

Preserving & Exploiting Virtual Meeting & Social Media Data in Litigation

Saving, using, and the ethics of both

With the ubiquity of social media in society, what individuals post online is directly relevant and useful in any litigation. Indeed, it's borderline malpractice not to seek out this information at the very outset of cases. If you determine that an opposing party has destroyed social media posts (which you can discover by sending preservation of evidence demands early in a case) what can you do in discovery and at trial to use that spoliation of evidence to your client's advantage? Attorneys must be mindful also that seeking out social media data raises potential ethical issues, such as "friending" someone who is a target of your search that you know is represented by counsel.

Join our experts for an insightful discussion on how to obtain social media data pre-trial, how to effectively use it at trial, and the potential ethical pitfalls of obtaining that information.

Agenda

- How to Obtain Social Media Data Through Discovery and Other Means
- How to Use Social Media Data at Trial
- Using Preservation of Evidence Correspondence, Spoliation, and Motions in Limine to Your Client's Advantage
- Ethical Trouble Spots When Seeking Social Media Data
- "Ask the Experts" Q&A Session

Faculty



RICHARD M. NOVITCH is of counsel at Todd & Weld LLP in Boston, where he concentrates his practice on all aspects of domestic relations law, complex matrimonial matters and related appeals, and high net worth property division. He has litigated cases in Probate & Family Courts across eastern Massachusetts, and has been involved in myriad appeals and interlocutory petitions. Mr. Novitch was previously a partner at Lander & Lander, P.C., and has also served as a staff attorney for the Justices of the Massachusetts Supreme Judicial Court, and as a judicial law clerk to both the Probate & Family Courts and the Superior Courts of the Commonwealth.



MICHAEL ("MICK") P. JUDGE is a partner at Casner & Edwards LLP in Boston. Mick's practice is concentrated in all aspects of the field of family law. He is a member of the Greater Boston Family Law Inn of Court, the American Academy of Certified Financial Litigators, and the various bar associations. Mick is the coordinator of the ARC ("Attorneys Representing Children") program in Worcester County, a former member of the Massachusetts Bar Association's Family Law Section Council, and frequent panelist at MCLE. Mick is a graduate of New England Law Boston and the University of New Hampshire.



MEGAN L. ROTHEMICH, of Todd & Weld LLP in Boston, concentrates her practice on all aspects of domestic relations law, including multifaceted divorce cases involving asset division, issues of child support and alimony, and custody disputes. She collaborates with experts for varied purposes, including business valuation, forensic analysis of financial information, tax scrutiny, and psychological evaluations and opinions. Megan handles other complex family law matters, such as pre-nuptial and post-nuptial agreements; paternity actions involving custody, visitation, and support of children born out of wedlock; and modification, contempt, and equity complaints incident to prior domestic relations proceedings.



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2:00 pm–3:00 pm

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REBROADCAST

Friday, November 19, 2021
9:00 am–10:00 am

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REBROADCAST

Monday, November 29, 2021
12:00 noon–1:00 pm

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ON DEMAND WEBCAST

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