

## SEMINAR

# Drafting Legal Holds in Litigation

## *When and how to implement a litigation hold*

Companies have a duty to preserve relevant information when a lawsuit or investigation is pending or reasonably anticipated. A litigation hold is a directive to specific employees to preserve certain records and information (both paper and electronic) that may be relevant to the subject matter of a pending or anticipated lawsuit or investigation. Failure to timely institute and maintain a litigation hold can have serious consequences, including monetary penalties, adverse inference instructions to the jury, evidence preclusion, and case dispositive sanctions. Therefore, understanding when and how to implement a litigation hold is critical to effective representation of a client.

Join our experts as we discuss the obligation to implement a litigation hold and best practices for scoping, drafting, distributing, and maintaining a litigation hold.

## Agenda

- When the Obligation to Implement a Litigation Hold Arises
- Developing a Litigation Hold Plan
- How to Draft a Litigation Hold
- Maintaining the Litigation Hold
- Potential Consequences of Failing to Implement a Litigation Hold
- “Ask the Experts” Q&A Session

## Faculty

Gwen Nolan King, Esq., *Sugarman, Rogers, Barshak & Cohen, PC, Boston*, Chair

Vanessa Azniv Arslanian, Esq., *Hemenway & Barnes LLP, Boston*

Jennifer Belli, Esq., *Weston*

Kathleen R. O'Toole, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*

## Dates & Location

Register at [www.mcle.org](http://www.mcle.org)

### LIVE WEBCAST

Thursday, June 2, 2022

9:00 am–11:00 am

Program Number: 2220260WBC

### REBROADCAST

Friday, June 17, 2022

12:00 noon–2:00 pm

Program Number: 2220260RBC

### REBROADCAST

Monday, June 27, 2022

2:00 pm–4:00 pm

Program Number: 2220260RB1

### ON DEMAND WEBCAST

View after Monday, June 27, 2022

Program Number: 2220260WBA

## Tuition *(includes written materials)*

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REFERENCE # 22-022

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