

## Reducing the Burdens of Privilege Logs: Leveraging Proportionality, Using Alternative Log Forms, Avoiding Waiver

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# Reducing the Burdens of Privilege Logs: Leveraging Proportionality, Using Alternative Log Forms, Avoiding Waiver

January 27, 2022 – 1:00 p.m. – 2:30 p.m.

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**New York City  
Law Department**

# Roadmap

**Privilege Primer & Relevant Rules**

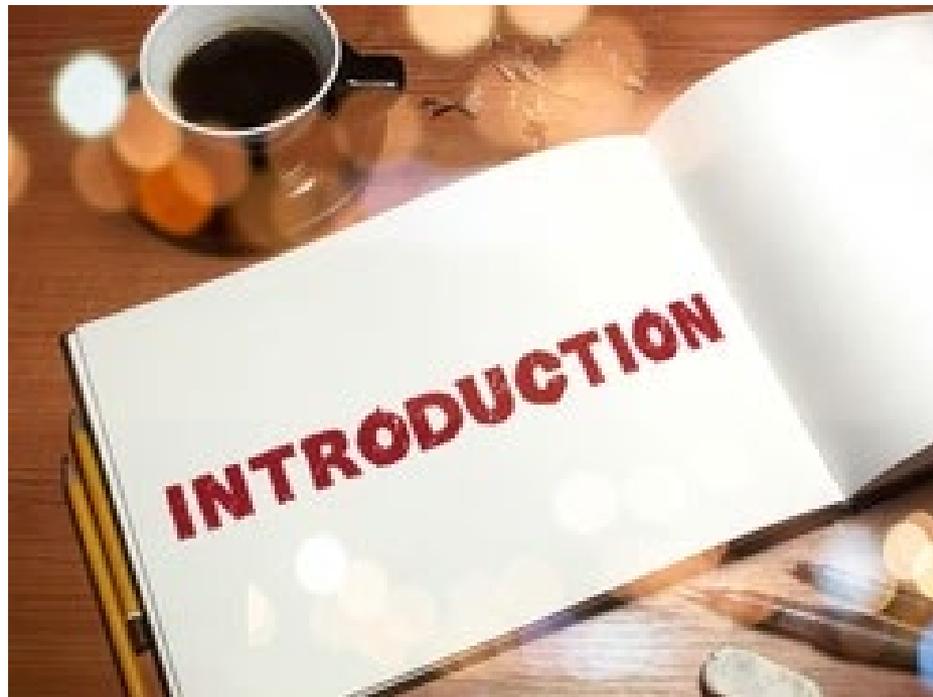
**Proportionality**

**Alternative Log Formats**

**Avoiding Inadvertent Production & Waiver**

**Questions?**

# Introduction to the Attorney-Client Privilege and Work Product Doctrine



# The Attorney-Client Privilege

## Common Elements:

- (1) A communication
- (2) Made between privileged persons
- (3) In confidence
- (4) For the purpose of obtaining or providing legal assistance for the client.

Restatement (Third) of the Law Governing Lawyers § 68 (2000)

# The Work Produce Doctrine - Overview

FRCP 26(b)(3)

(A) *Documents and Tangible Things*. Ordinarily, a party may not discover documents and tangible things that are prepared **in anticipation of litigation** or for trial by or for another party or its representative (including the other party's attorney, consultant, surety, indemnitor, insurer, or agent).

The key question is when was litigation reasonably anticipated?



# The Work Product Doctrine – Opinion vs. Ordinary

## FRCP 26(b)(3)

(A) *Documents and Tangible Things*. Ordinarily, a party may not discover documents and tangible things that are prepared in anticipation of litigation or for trial by or for another party or its representative (including the other party's attorney, consultant, surety, indemnitor, insurer, or agent). But, subject to Rule 26(b)(4), those materials may be discovered if:

- (i) they are otherwise discoverable under Rule 26(b)(1); and
- (ii) the party shows that it has **substantial need** for the materials to prepare its case and cannot, **without undue hardship**, obtain their substantial equivalent **by other means**.

(B) *Protection Against Disclosure*. If the court orders discovery of those materials, it **must protect** against disclosure of the mental impressions, conclusions, opinions, or legal theories of a party's attorney or other representative concerning the litigation.

# The Rules: FRCP 26(b)(5)(A)

## Claiming Privilege or Protecting Trial-Preparation Materials.

(A) *Information Withheld*. When a party withholds information otherwise discoverable by claiming that the information is privileged or subject to protection as trial-preparation material, the party must:

- (i) expressly make the claim; and
- (ii) describe the nature of the documents, communications, or tangible things not produced or disclosed--and do so in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the claim.

# The Rules: FRCP 26(b)(5)(A)

## The “Privilege Log”

- Surprisingly, the requirement for a “privilege log” only became an established FRCP Rule in 1993. FRCP 26(b)(5)(A).
- Purposefully does not impose a set form on substantiating privilege claims – “log” is nowhere in the text of the Rule.
- 1993 Advisory Committee Notes: “Details concerning time, persons, general subject matter, etc., may be appropriate if only a few items are withheld, but may be unduly burdensome when voluminous documents are claimed to be privileged or protected, particularly if the items can be described by categories.”

## Traditional Analysis: “Unduly Burdensome”



Under Rule 26(b)(5)(A), in order for a party to seek relief regarding its privilege log obligations, the party typically must demonstrate that producing a traditional document-by-document log “would be **unduly** burdensome and without much benefit.”

*EPAC Techs., Inc. v. HarperCollins Christian Publ'g, Inc.*, No. 3:12-CV-00463, 201 *aff'd sub nom. EPAC Techs., Inc. v. Thomas Nelson, Inc.* 8 WL 3628890, at \*1 (M.D. Tenn. Mar. 29, 2018),, No. 3:12-CV-00463, 2018 WL 3322305 (M.D. Tenn. May 14, 2018)

# Amendments to the Federal Rules of Civil Procedure

## The 1993 Amendments:

- Subdivided former paragraph (b)(1) into two paragraphs “for ease of reference and to avoid renumbering paragraphs (3) and (4)”
- Placed the proportionality concept into sub-paragraph (b)(2), which was titled “Limitations,” rather than (b)(1), which was titled “In General”

## The 2015 Amendments:

- Added the word “proportional” to the Rule
- Moved the concept from Rule 26(b)(2) to Rule 26(b)(1)

# Effect of 2015 Amendments

## The Advisory Committee Notes to the 2015 Amendments:

“The present amendment restores the proportionality factors to their original place in defining the scope of discovery.”

## Supreme Court Justice John G. Roberts, Jr.:

“Rule 26(b)(1) crystalizes the concept of reasonable limits on discovery through increased reliance on the common-sense concept of proportionality. . . .”

2015 Year-End Report on the Federal Judiciary, 6 (Dec. 31, 2015)

<https://www.supremecourt.gov/publicinfo/year-end/2015year-endreport.pdf>

# The Rules: FRCP 26(b)(1)

The Rule states, in relevant part:

Unless otherwise limited by court order, the ***scope of discovery*** is as follows: Parties may obtain discovery regarding any ***nonprivileged*** matter that is ***relevant*** to any party's claim or defense **and *proportional*** to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit.

(Emphasis added.)

# Proportionality

The Sedona Conference, *The Sedona Principles, Third Edition: Best Practices, Recommendations & Principles for Addressing Electronic Document Production*, Comment 2.b. suggests that

“[p]roportionality should be considered and applied by the court and parties to all aspects of the discovery and production of ESI including . . . preparation of privilege logs.”

19 SEDONA CONF. J. 1, 67 (2018)

# Proportionality - Factors

Six factors for analyzing the proportionality of discovery under Rule 26(b)(1):

- (1) the importance of the issues at stake in the action;
- (2) the amount in controversy;
- (3) the parties' relative access to relevant information;
- (4) the parties' resources;
- (5) the importance of the discovery in resolving the issues; and
- (6) and whether the burden or expense of the proposed discovery outweighs its likely benefit.

# Proportionality - Cases - Limited & Varied

- Direct application of proportionality factors
  - *See, e.g., First Horizon Nat'l Corp. v. Houston Cas. Co.*, No. 2:15-CV-2235-SHL-DKV, 2016 WL 5867268, at \*6 (W.D. Tenn. Oct. 5, 2016); *Finger v. Jacobson*, No. CV 17-2893, 2019 WL 7557821, at \*1 (E.D. La. May 10, 2019)
  - *First Horizon*:
    - Plaintiffs produced a categorical log grouping thousands of documents into nine categories
    - Defendants filed motion to compel a document-by-document log
    - Burden on Plaintiffs to satisfy Rule 26(b)(5)
    - Documents created **after** filing of complaint could remain on categorical log (Defendants conceded) but not documents created **before**
    - Cost of \$150K and 3-4 weeks not disproportional to \$75M amount in controversy
    - Analyze other factors including that doc-by-doc log would be of material benefit to assess whether privilege claim well grounded since docs may not involve lawyers, may involve non-priv communications, at-issue exception
    - Categorical log also “too minimal and vague” to allow evaluation

# Proportionality - Cases - Limited & Varied

- Discussing proportionality but not Rule 26(b)(1)
  - *U.S. Bank Nat'l Ass'n v. Triaxx Asset Mgmt. LLC*, No. 18-CV-4044 (BCM), 2021 WL 4973611, at \*2 (S.D.N.Y. Oct. 25, 2021)
- Rejection of proportionality to privilege logs
  - *Main St. Am. Assurance Co. v. Savalle*, No. 3:18CV02073(JCH), 2021 WL 1399685, at \*3 (D. Conn. Apr. 14, 2021): “Savalle does not argue that the information sought by the subpoena is disproportional to the needs of the case. Rather, Attorney Lee asserts that creating the privilege log is somehow disproportionately burdensome compared to the needs of the case. This tortures the meaning and purpose of Rule 26’s proportionality requirement, which focuses on the marginal utility of the discovery sought[.]”

# Proportionality – Practice Tips

1. Depending on the jurisdiction, Rule 26(b)(1) proportionality factors may apply to privilege logs.
2. Even if application to privilege logs is questionable, application to discovery generally is clear.
  - Challenge the underlying discovery request
  - Third party discovery
3. If you are the requesting party, do not allow the burden to shift to you.
4. Default to an “unduly burdensome” analysis to reduce privilege log burdens.
  - Exclude categories like post-complaint emails with outside counsel
  - Alternative log formats

# Alternative Formats for Privilege Logs

Traditional **document-by-document** log:

- Table format
  - Prepared inside review database and exported to spreadsheet
  - Columns identifying author, recipient(s), date sent/created, brief description of subject-matter/basis of privilege, privilege type
- Identifier of “privileged persons” (*e.g.*, asterisk following attorney name or separate legend)

# Alternative Formats for Privilege Logs

## Example of Traditional Privilege Log

Priv Record	Beg Bates	End Bates	From / Author	To	CC	Additional Communicants	Date	Priv Basis	Privilege Description	Filename / Subject
1	16001	16001	Jack Host	Dave Raust; Scott Smoot	Andi Rogers	Acme Legal Department	2018-04-25	ACP	Memo between non-attorneys reflecting confidential legal advice re: analysis of and implementation of EPA regulation	EPA New Regs – DRAFT White Paper (4-25-2018)
2	16882	16884	Jack Host	Monica Brown*			2018-05-20	ACP	Email from client to attorney requesting confidential legal advice re: landfill inspection issues	Landfill inspection assessment
3	N/A	N/A	Jack Host	Andi Rogers		Monica Brown*	2018-05-24	ACP	Email chain between attorney and clients providing information to enable the rendering of legal advice re: Corrective Action Plan	FW: Corrective Action Plan
4	17240	17241	Monica Brown*	Dave Raust	Andi Rogers, Scott Smoot		2018-06-02	ACP	Email between attorney and client providing confidential legal advice regarding response to regulator re: groundwater inspections	Discuss response to DEQ
5	17698	17700	Monica Brown*	Monica Brown*			2018-06-20	ACP / WP	Notes prepared by attorney reflecting mental impressions and legal strategy in connection with pending litigation	Response to Plaintiff's letter.docx

# Alternative Formats for Privilege Logs

## Common Issues in Traditional Privilege Logs:

- **Email Threads:** some courts require separate entries for each thread; other courts permit one entry for multiple messages, but require that bases for all withholding be evident from entry (*e.g.*, use of “additional privileged participant” field)
  - *Muro v. Target Corp.*, 250 F.R.D. 350 (N.D. Ill. 2007) (highlighting problems arising from thread-level log entries and failure to identify all senders/recipients on thread)
  - *Rhoads Industries, Inc v Building Materials Corp of America*, 254 FRD 238 (E.D. Pa. 2008) (holding each link in an email chain must be separately logged to avoid compelled production)
- **Email Families:** withheld documents that are part of an email family (both emails and attachments) should be listed together (or in near proximity) for context

# Alternative Formats for Privilege Logs

## The **Categorical** Privilege Log

Advisory Committee Note to the 1993 amendments of Rule 26(b)(5):

“The rule does not attempt to define for each case what information must be provided when a party asserts a claim of privilege or work product protection. Details concerning time, persons, general subject matter, etc., may be appropriate if only a few items are withheld, but may be unduly burdensome when voluminous documents are claimed to be privileged or protected, particularly if the items can be described ***by categories.***”

(Emphasis added.)

*See, e.g., Shufeldt v. Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.*, No. 3:17-CV-01078, 2020 WL 1532323 (M.D. Tenn. Mar. 31, 2020)

# Alternative Formats for Privilege Logs

**Categorical Logs:** table of withheld documents, grouped based on **similar characteristics**, sharing a single common description providing information to substantiate the claim of privilege.

- Reflects date range applicable to each category and sender/recipient group as a separate log line.
- May also reflect the number of documents withheld in that category.
- Adequate if it provides information about the nature of the withheld documents sufficient to enable the receiving party to make an intelligent determination about the validity of the assertion of the privilege.
  - *Auto. Club of NY., Inc. v. Port Auth. of NY & NJ*, 297 F.R.D. 55 (S.D.N.Y. 2013).

# Alternative Formats for Privilege Logs

## Example of Categorical Privilege Log

Category No.	Date Range <sup>1</sup>	Document Type	Sender(s)/Recipient(s)/Copyee(s)	Category Description	Privilege Justification	Documents Withheld (Total Documents: 454) <sup>2</sup>	Documents Withheld, Including Families <sup>3</sup>
1	3/11/2012 - 6/30/2012	Email, PDF	<b>Attorneys:</b> K. Currie, Esq.; S. Salem, Esq.; E. Mendola, Esq.; F. Fernandez, Esq.; J. Driscoll, Esq.; T. Duxbury, Esq. (Smith and Kline LLP); K. Currie, Esq. <b>Client:</b> M. Salem; K. O'Shea; J. Martin; C. Dew; F. Zeigler; M. Moore; E. Andrews; A. Skar; A. Chen; J. Ginter; F. Treglia; B. Parks; R. Thomas; V. Anderson; H. Dickey; C. Vega; M. McIntosh; B. Carrol; E. Schmidt; B. Newburn; S. Turner; J. Rose; C. Whalen; C. Acton; D. Holmes; K. Stewart; J. Ginter; F. Treglia <b>Qualified Third-Parties:</b> H. Smith (Accountants LLP), D. Jones (Consultant)	Communications with outside counsel providing, requesting or reflecting legal advice regarding easement and operating agreement negotiations with Heights Building Ltd.	Attorney-Client Privilege; Attorney Work Product	325	415
2	3/11/2012 - 5/31/2012	Email, Powerpoint, PDF	<b>Attorneys:</b> K. Currie, Esq.; S. Salem, Esq.; E. Mendola, Esq.; F. Fernandez, Esq.; J. Driscoll, Esq.; T. Duxbury, Esq. (Smith and Kline LLP); K. Currie, Esq. <b>Client:</b> M. Salem; K. O'Shea; J. Martin; C. Dew; F. Zeigler; M. Moore; E. Andrews; A. Skar; A. Chen; J. Ginter; F. Treglia; B. Parks; R. Thomas; V. Anderson; H. Dickey; C. Vega; M. McIntosh; B. Carrol; E. Schmidt; B. Newburn; S. Turner; J. Rose; C. Whalen; C. Acton; D. Holmes; K. Stewart; J. Ginter; F. Treglia	Communications with in-house counsel providing, requesting or reflecting legal advice regarding third-party claims related to Montague construction.	Attorney-Client Privilege; Attorney Work Product	45	52
3	3/11/2012 - 6/30/2012	Email, PDF	J. Ginter; F. Treglia; K.; A. Adams.; K. O'Shea; J. Martin; C. Dew; F. Zeigler; M. Moore; E. Andrews; M. Salem; A. Skar; A. Chen; B. Parks; R. Thomas; V. Anderson; H. Dickey; C. Vega; M. McIntosh; B. Carrol; E. Schmidt; B. Newburn; S. Turner; J. Rose; C. Whalen	Communications between non-lawyers containing information prepared by or on behalf of an attorney in preparation of litigation regarding Montague construction contracts.	Attorney Work Product	68	82

# Alternative Formats for Privilege Logs

## Categorical Logs:

- Some jurisdictions have implemented local rules that say categorical logs are presumptively proper.
  - *See, e.g.*, NY R USDCTS&ED Civ Rule 26.2: “[W]hen asserting privilege on the same basis with respect to multiple documents, it is presumptively proper to provide the information required by this rule by group or category.”
- In addition, some states affirmatively require parties to discuss if using categories is more efficient.
  - NY state courts

# Alternative Formats for Privilege Logs

## Categorical Logs – Issue with Degree of Specificity:

Though permitted, they must contain **sufficient information** to evaluate the protections asserted:

- *In re Aenergy, S.A.*, 451 F. Supp. 3d 319, 325 (S.D.N.Y. 2020) (stating that just because federal and local rules permit categorical privilege logs, it does not obviate a party's obligation to provide sufficient detail)
- *Shufeldt*, 2020 WL 1532323, at \*5 (noting categorical logs may be permitted to avoid undue burden of a document-by-document log, as well as court's encouragement of discussion of alternative logging methods, but finding one-page privilege log with broad categorical claims of privilege inadequate because log must still provide information needed to evaluate claims of privilege)

# Alternative Formats for Privilege Logs

**Metadata Logs:** table of withheld documents that provides only the **metadata fields** that can be extracted from the withheld documents, potentially with a designation for privilege bases (ACP, WP, etc.), but without a substantive privilege description sentence.

- Benefit: less burdensome to prepare
- May need a “key” of legal personnel
- Can agree to provide additional information for a sample of the withheld documents
- *See, e.g., McEuen v. Riverview Bancorp, Inc.*, 2013 U.S. Dist. LEXIS 192490, at \*7-\*8 (W.D. Wa. Oct. 1, 2013).

# Alternative Formats for Privilege Logs

## Example of Metadata Privilege Log (with name normalization)

Priv Record	Bates Start	Bates End	Custodian	From/Author	To	CC	Date	Privilege Basis	Subject / Filename
1	18019	18019	Alden	T. Alden	K. Smoot	R. Lawyer*	4/4/2019	ACP	Letter to Acme (4-4-2019 draft).doc
2	18037	18037	Alden	R. Lawyer*	T. Alden		5/9/2019	ACP	Response to Your Offer.doc
3	18276	18276	Franks	T. Alden	B. Franks		5/11/2019	ACP	FW: Response to Your Offer.doc
4	18332	18332	Alden	R. Lawyer*	T. Alden; K. Smoot		7/31/2019	ACP / WP	Complaint Outline (7/29/2019 draft)
5	18415	18415	Smoot	T. Alden	R. Lawyer*	K. Smoot	9/2/2019	ACP / WP	RE: counterclaim considerations

# Alternative Formats for Privilege Logs

**Metadata +:** table of withheld documents that provides the **metadata fields** that can be extracted from the withheld documents, omitting a full privilege description sentence, but **does** include a category, or **topic**, description as a separate field.

- Most fields can be extracted from a review platform with minimal effort.
- The category/topic field will reflect an independent assessment by a reviewer of the category that most closely describes the withheld document, selecting coding option/tag in review platform.

# Alternative Formats for Privilege Logs

## Example of Metadata PLUS Privilege Log

Priv Log #	Subject/Filename	Date/Time	Privilege	Custodian	Author/From	To	CC	Add'l Legal Communication Participants	Privilege Category
PRIV-0001	FW: Request for Payment of Defense Costs (August 2014)	2014-10-05	ACP; WP	George Toscana	Michael T. Smith (K&S)	Don O'Shea (Alston); Jack Mister (Alston)	George Toscana		Lawyer Billing/Invoices
PRIV-0002	Oregon depo	2014-11-16	ACP; WP	George Toscana	George Toscana	Michael T. Smith (K&S)			Deposition Preparation and Strategy
PRIV-0003	RE: New Jersey Depo outline	2014-12-01	ACP; WP	George Toscana	George Toscana	Michael T. Smith (K&S)			Deposition Preparation and Strategy
PRIV-0004	Preparation Notes.pdf	2014-12-16	ACP; WP	George Toscana	George Toscana	Michael T. Smith (K&S)	Don O'Shea (Alston)		Discovery Response Preparation and Strategy
PRIV-0005	RE: ACME Engineering	2015-06-06	ACP; WP	George Toscana	Sandy Pond	George Toscana		Michael T. Smith (K&S)	Settlement Analysis / Dispute Resolution Strategy
PRIV-0006	FW: Laxton Case Assessment	2015-07-13	ACP; WP	George Toscana	Mary House (Alston)	George Toscana; Michael T. Smith (K&S)	Don O'Shea (Alston); Jack Mister (Alston); Torrance Shorn (Alston)		Settlement Analysis / Dispute Resolution Strategy
PRIV-0007	Laxton Case Assessment.docx	2015-07-13	ACP; WP	George Toscana	Mary House (Alston)	George Toscana; Michael T. Smith (K&S)	Don O'Shea (Alston); Jack Mister (Alston); Torrance Shorn (Alston)		Settlement Analysis / Dispute Resolution Strategy
PRIV-0008	Opinion Memo on ACME 9.05.2015.pdf	2015-09-06	ACP; WP	George Toscana	Derek Grifols	Jack Mister (Alston); Mary House (Alston)			Litigation Strategy / Trial Prep

# Privilege Log - Practice Tips

- **ESI Agreements/Stipulated Order:** to set expectations on format, requirements, timing
  - **Agree on Categorical Exclusions from Logging Requirements:** e.g., work product created after a certain date; communications with litigation counsel after certain date; redacted documents
- **Email Threading/Inclusive Method:** agree to log just these most inclusive threads to avoid duplication
- **Planning:** Think about (and negotiate) the type of log you will be providing BEFORE you begin the document review process

# Avoiding Inadvertent Production – Practice Tips

## Supervise Your Team & Prep Data

- ❖ Train
  - Provide privilege type summaries & review
  - Coding layout (redact v WIF; redaction reason; category)
  - Provide examples (include grey area docs; unique priv types)
  - Key legal people (nicknames, outside firms, dual role)
- ❖ QC and provide feedback
  - Often – set up daily calls with review team
  - Address issues immediately
- ❖ Give potentially privileged docs TLC
  - Identify potentially priv docs (talk to your client/custodian interviews)
  - Highlight terms in specific priv color (red)
  - Batch out potentially priv docs
  - Sort by date/thread group
  - Review potentially priv docs at the end
  - Use your elite review team

# Avoiding Inadvertent Production – Practice Tips

## Run analytics & review smartly

- ❖ Thread data set
  - Review and log only inclusive email
- ❖ QC for consistent coding
  - MD5 hash analysis
  - Near dupe analysis
  - Date/thread group
  - Subject line/File name analysis
- ❖ Review production metadata

## Collect less/Log less

- ❖ No attorney custodians
  - unless dual role
- ❖ No logging certain communication buckets
  - counsel communications after complaint filed
  - Domain analysis

# Avoiding **Waiver** – Practice Tips

## Clawback Agreements/FRE 502(d) Orders

### ❖ FRE 502(d)

- A federal court may order that the privilege or protection is not waived by disclosure connected with the litigation pending before the court — in which event the disclosure is also not a waiver in any other federal or state proceeding.
  - Get it so ordered – ensure protection in other proceedings
  - Do not need to show production was “inadvertent”
  - Similar state rules
    - NYS Commercial Division (N.Y. Comp. Codes R. & Regs. Tit. 22202.70.34 app E)

# Avoiding Waiver – Practice Tips

## Assert privilege in your discovery responses

- ❖ *Catalina Island Yacht Club v. Superior Court* (2015) 242 Cal.App.4th 1116, the California Court of Appeal (Fourth District, Division Three)

Once privilege objections are asserted in timely served written discovery responses, a trial court may not deem the objections waived based on any deficiency in the response or privilege log.

## ***BUT be careful if accompanied by a relevance objection***

- ❖ *Stagger v. Experian Inform. Solutions, Inc.*, 2021 WL 5299791 (N.D. Ill. Nov. 15, 2021)

- finding waiver when responding party failed to produce a privilege log for documents it had made relevancy and privilege objections to in its discovery responses because asserting privilege without further explanation or review could “only be said to have been made willfully or in bad faith.”)

# Avoiding Waiver – Practice Tips

## ***AND provide an adequate privilege log***

- ❖ *Mountain West Series of Lockton Companies, LLC v. Alliant Insurance Services, Inc.*, C.A. No. 2019-0226-JTL (transcript) (Del. Ch. May 17, 2019)
  - granting motion to compel production of documents improperly withheld as privileged and finding waiver due to the deficient preparation of the privilege log)
- ❖ *Dykstra v. Fla. Foreclosure Att'ys, PLLC*, 191 F. Supp. 3d 1378, 1380 (S.D. Fla. 2016)
  - “[E]ven if the Court were to find that Defendants’ privilege log is insufficient, the Court would not normally be inclined to find that the privilege is waived and would likely give Defendants additional time to submit a proper privilege log, absent extraordinary circumstances or dilatory conduct.”
- ❖ *Johnson v. Ford Motor Co.*, 309 F.R.D. 226, 235 (S.D.W. Va. 2015)
  - Typically, courts will find waiver based on privilege log contents when there is “unjustified delay, inexcusable conduct, or bad faith.”

# Avoiding **Waiver** – Practice Tips

## *Provide an adequate privilege log*

- ❖ Follow local rules and standing orders
  - What is allowed and what should be negotiated
    - Type of log
    - Log only withhold in full documents
- ❖ Have privilege review workflow in place
  - Training manual/coding panel/view
  - FLR/SLR/QC
  - Automate as much as possible
- ❖ Beef up your log
  - Provide necessary fields for the type of log
  - Provide separate list of attorneys/consultants or identify them
  - Provide fleshed out description of categories (categorical or metadata plus logs)

# Questions?

