

The 9th Annual Sedona Conference® International Programme on Cross-Border Discovery & Data Protection Laws

**20-21 June 2017
Carton House, County Kildare, Ireland**

Day One: Tuesday 20 June 2017

7:30 - 8:30 Breakfast & Sign-In

8:30 - 8:45 Welcome & Overview
(*Kuschewsky, Shonka, Weinlein*)

8:45 - 10:00 The EU General Data Protection Regulation (GDPR): One year in, one year to go
(*Álvarez, Dixon, Kuschewsky*, Lenoir, Robert*)

Will the GDPR facilitate international data transfers, or does it create new obstacles? What are the views of the DPAs? How can Sedona help clarify the interpretation or the process? What is going to happen over the next year? What role will adequacy decisions play? Can or will the EU-U.S. Privacy Shield serve as a model? And what will change with Brexit?

Recommended Materials: 1, 2, 3, 4, 5

10:00 - 10:15 Morning Break

10:15 - 11:30 The Sedona Conference *International Litigation Principles (Transitional Edition)*:
What has changed and what has not?
(*Backhouse*, Bennett, Gerlach, Hoffman, Opice Blum, Peck, J.,*)

Have the *International Litigation Principles* achieved the goal of being global and not EU-centric? How are they useful for transferring data from non-EU countries?

Required Materials: 1, 2
Recommended Materials: 6, 7

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11:30 - 12:45 The first year of the EU-U.S. Privacy Shield: What challenges lie ahead?
(*Behn, Cohen, Gerlach**, *Kuschewsky, Robert, Shonka*)

What is the current status and outlook of the Privacy Shield? What are the advantages of self-certifying under the Privacy Shield v. “Wait and See”? How feasible is it? And what are the perspectives of the certifying entities and the DPAs about all of this?

Recommended Materials: 1, 8, 9, 10, 11, 12, 13

12:45 - 14:00 Lunch (provided)

14:00 - 15:30 Beyond EU-U.S. data transfers: Updates on APAC, South America & the Middle East
(*Backhouse, Bennett**, *English, Moncure, Opice Blum, Wallack*)

What are the key issues and recent data protection development in these regions? What role is there for Sedona in shedding light on data transfers from and to these regions?

Recommended Materials: 14, 15, 16, 17, 18, 19

15:30 - 15:45 Afternoon Break

15:45 - 17:00 The extraterritorial reach of laws and law enforcement authorities regarding
electronic data
(*Behn, Dixon, Matus, Peck, J., Shonka**)

What are the latest developments and effects of the SCA cases (*Microsoft* and *Google*)? How do these U.S. decisions compare with powers and practices outside the U.S.?

Recommended Materials: 6, 7, 20, 21, 22, 23, 24, 25

17:00 - 19:00 Reception with the faculty (guests invited)

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Day Two: Wednesday 21 June 2017

7:45 - 8:45 Breakfast & Sign-in

8:45 - 10:15

*The Sedona Conference International Investigations Principles
(Backhouse, Baylson, J., Lenoir, Moncure, Shonka*, Wallack)*

What are the *International Investigations Principles*? Are they applicable outside of the EU-U.S. context? What are the next steps?

Required Materials: 3, 4

Recommended Materials: 8, 21, 26

10:15 - 10:30

Morning Break

10:30 - 12:00

*Corporate Counsel: Practical approaches in the real world
(Álvarez, English, Hoffman*, Matus, Moncure)*

What practical approaches are corporate counsel utilizing? Do the approaches differ depending on the country corporate counsel practices in? How are in-house counsel applying the *International Litigation Principles*? Is there room for improvement, clarification, or additions?

Required Materials: 5

Recommended Materials: 27, 28

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12:00 - 13:00

How do the ISO standards for discovery relate to U.S. discovery rules and the *International Litigation Principles*?
(*Baylson, J., Cohen, Matus**)

How do the ISO standards for discovery relate to U.S. discovery rules and the *International Litigation Principles*? Will the ISO standards satisfy the requirements of an approved certification mechanism and provide appropriate safeguards in the context of international transfers or otherwise demonstrate compliance with the GDPR? If not, what is missing? What role will certifications play under the GDPR?

Required Materials: 1

13:00 - 14:00

Lunch (provided)
