

This is your Release #2 (December 2018)

Electronic Discovery

Deskbook

Third Edition

Mayer Brown LLP

Edited by

**Michael E. Lackey, Eric B. Evans,
and Ethan A. Hastert**

Electronic Discovery Deskbook provides practical, authoritative discussion of the laws and decisions regulating electronic discovery in litigation, and includes useful checklists and clear explanations of relevant technology.

In this release, all chapters have been reviewed and updated, with the most significant revisions in **chapter 14, International Issues**, including the following developments:

- **The GDPR:** The General Data Protection Regulation will now be a significant factor affecting the potential preservation, collection, and transfer of discoverable records into the United States from countries within the European Union. *Retitled section 14:6.1, The General Data Protection Regulation.*
- **UK's new disclosure pilot:** Commencing in January 2019, a two-year disclosure pilot in the United Kingdom will provide a new standard for electronic discovery in certain cases heard in the Business & Property Courts. Parties to a litigation will be required to complete a new form, the Disclosure Review document, which replaces the Practice Direction 31B questionnaire and is intended to provide a framework for the parties to cooperate and exchange information with a view to agreeing a proportionate approach to disclosure. *Section 14:3.2, Civil Procedure Rules of 1999 and section 14:3.7, Disclosure Pilot from 2019.*
- **Data Protection in the UK:** The GDPR gives EU member states limited opportunities to make provisions for how the GDPR

(continued on reverse)

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New York, NY 10036
#239462

applies in their country. In the UK, the Data Protection Act 2018 implements the GDPR and replaces the Data Protection Act 1998. It provides stronger legal protection for special categories of personal data, covers items that are not covered by the GDPR, and restricts the transfer of personal data outside the United Kingdom unless certain conditions are met. *Retitled section 14:7.1, Data Protection Act 2018.*

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