

Location Based Electronic Discovery

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Importance of Electronic Discovery

- a. \$
- b. Outcome Determinative
- c. Disputed
- d. Subjective v. Objective – the DNA of Location
- e. Lack of Awareness

Location Technology

- a. Mobility
- b. Increasing Accuracy by Convergence of Technologies
- c. Business and Social Usefulness
- d. \$
- e. Volume of Data
- f. Device Retention and Cloud Dispersion
- g. Penetration – 96% of young Americans have cellphones

Mobility



- a. Smart Phones
- b. Tablets
- c. Laptops
- d. Automobiles

Accuracy & Convergence

- a. GPS
- b. Cell Tower Data
- c. WiFi
- d. Near-Field Communication
- e. Uplink Time Differential of Arrival (UTDOA)



Business Uses

- a. RFID
- b. Employee Monitoring
- c. Location-Based Marketing
- d. Location-Based Services

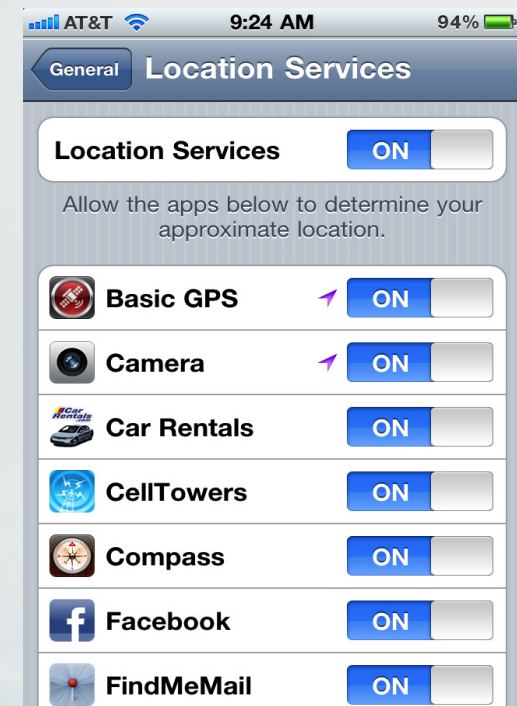
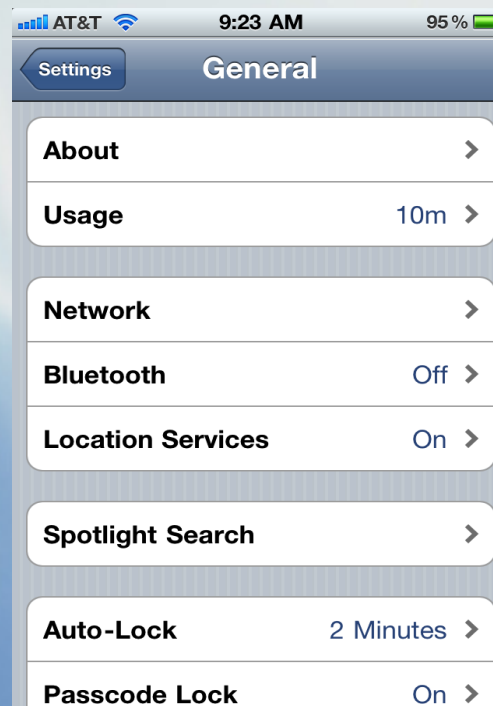


Social Impact

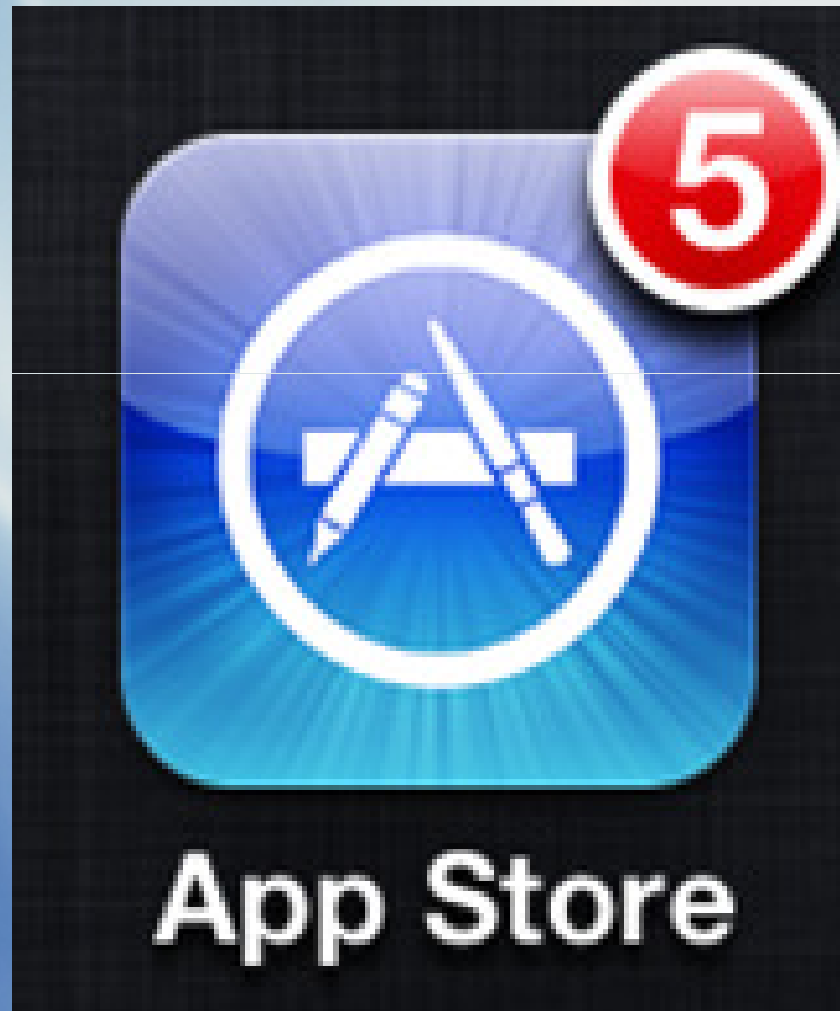
- Friending, following, videotaping, texting, photographing, joining, playing, paying, meeting, tracking....



Enabling Location-Based Services



Apps



Twitter

twitter



Google



Facebook

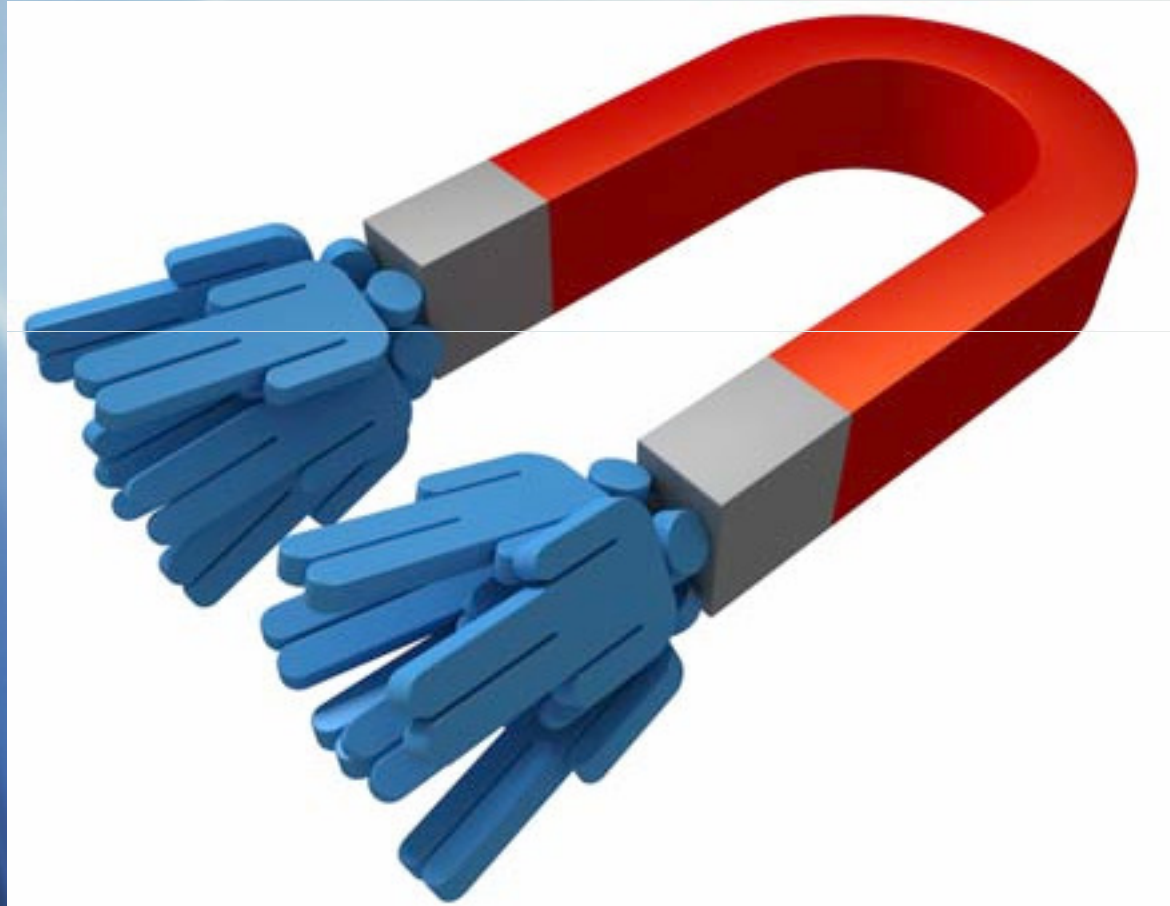


Location Privacy



- a. Constitutions: First, Fourth and Fifth Amendments
- b. Statutes
- c. Common Law

Retention and Preservation



Civil Discovery



- a. Party Discovery
- b. Subpoenas
- c. Self-Help Internet Discovery

Major Location Issues in Criminal Law



Cost of LBED



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