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Lettieri honored for promoting e-discovery knowledge among local attorneys, judges

By Tracy Carbasho

Richard Lettieri has a distinction that few attorneys can claim with a combined background of legal experience and technical know-how that helped him become an expert in electronic discovery.

He gained his technical background by working at IBM for 17 years. Then, he spent a decade working at various firms that had developed computer e-learning modules. In 2009, he founded the Lettieri Law Firm specifically to help lawyers and judges address technological challenges.

The U.S. District Court for the Western District of Pennsylvania honored Lettieri in June for working diligently over the past decade to help members of the bench and bar understand issues that can occur in cases involving a large volume of electronically stored information.

"It's a great honor to be singled out because a lot of people have contributed to the e-discovery effort in the Western District," Lettieri said. "I'm fortunate that near the end of my career my background in technology and law merged at the same time the law was facing technical challenges caused by the explosion of electronic data in litigation. This development provided me with an opportunity to make a unique contribution to the legal profession."

He was instrumental in co-founding the E-Discovery Series, a quarterly educational session sponsored by the Federal Bar Association that has been attended by more than 1,300 attorneys since 2007.

"Rick conceived the concept of having regular programs in the courthouse about e-discovery. He took the initiative to help develop the topics for the programs, arrange speakers for the programs and proactively assisted the court in initiating the programs," said U.S. District Chief Judge Joy Flowers Conti. "He also initiated a series of articles with the judges of our court which were published nationally to help educate the bench and the bar about e-discovery. His contributions were outstanding and truly exceptional."

Lettieri announced earlier this year that he would turn the coordination of the quarterly series over to Greg Monaco, second vice president and Continuing Legal Education director for the local FBA chapter. Monaco said the FBA has sponsored the series because it believes strongly that practitioners should be proficient in e-discovery.

"Whether or not practitioners wish to acknowledge it, e-discovery is now part of many, if not most, federal court cases," Monaco said. "Rick has left an indelible mark on our district, and I am honored to continue his work as our chapter looks forward to its tenth year of bringing cutting-edge e-discovery programming to our district."

Conti commended Lettieri for helping to make the Western District a national leader in e-discovery by serving as a member of a court subcommittee that created the first E-Discovery Special Master program in the United States.

"Our court is recognized nationally for its e-discovery educational programs and e-discovery rules," Conti said. "We were the first court to organize a special master program and among the first to implement robust e-discovery local rules."

In order to provide a formal structure for tackling e-discovery issues, the Western District drafted new local rules that became effective in September 2009. A year later, the court made national news by deciding to establish and maintain a list of attorneys with expertise in e-discovery who could serve as special masters in the EDIS program. Lettieri was appointed as the first special master under the program.

Even before the EDIS initiative was created, however, Lettieri was asked by Conti to recommend individuals to serve as special masters going back as far as 2007.



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Richard Lettieri was honored in June by the U.S. District Court for the Western District of Pennsylvania for his efforts to educate the local bar and judiciary about electronic discovery over the past decade. Attending the awards presentation, from left, were Greg Monaco, second vice president and Continuing Legal Education director for the local chapter of the Federal Bar Association; Lettieri; District Court Chief Judge Joy Flowers Conti and District Court Judge Nora Barry Fischer.

"The e-discovery program has contributed to the speedy, efficient and inexpensive administration of justice," Conti said. "The special masters, when appointed, routinely assist the parties in resolving disputes. For the most part, the parties reach an amicable resolution without the need for costly briefing or judicial intervention."

While the improvements are, in large part, due to Lettieri's persistence and expertise, he is quick to note that the multi-year efforts were the result of hard work by many people. The beginning of his acceptance speech at the awards presentation was spent listing many other people who deserve accolades because of their work on this issue.

U.S. District Court Judge Nora Barry Fischer said it is important for lawyers and judges to understand e-discovery issues for several reasons. First, it is imperative to help lawyers find electronically stored data in emails, texts and social media that could help them win their cases. In addition, gaining access to electronic evidence is fundamental to competent representation, and legal ethics require lawyers to competently represent their clients. Therefore, all lawyers need a working knowledge of e-discovery issues to achieve a minimum level of competence and to avoid court sanctions, she explained.

Fischer has collaborated with Conti and Lettieri in writing nationally published articles. It was recently brought to her attention that one of the articles published in *The Federal Lawyer* in 2011 was cited in the book, "Arkfeld on Electronic Discovery and Evidence."

"Michael Arkfeld is the preeminent authority on all e-discovery issues and his treatise on e-discovery is one of the most widely referenced books on the subject," Fischer said. ■