

## Kimberly J. Duplechain

Shareholder

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### Focus Areas

eDiscovery  
Litigation and Trials  
Discrimination and Harassment  
ERISA and Benefit Plan Litigation  
Class Action  
Wage and Hour

### Overview

Kimberly J. Duplechain counsels and advises Littler’s lawyers and their clients on electronic discovery and information governance processes and best practices nationwide, in PAGA/class/collective actions, trade secret matters, whistleblower cases, and other types of employment litigation. Kim ensures that electronic discovery is handled in a defensible and cost-effective manner. She routinely provides advice, counsel, and solutions to clients in fulfilling their legal obligations, including:

- Preservation obligations
- Electronic discovery protocols
- Protective orders and clawback agreements
- Strategies for cost-efficient data collection and review
- Discovery and pre-trial motion practice

Kim leverages her in-depth, hands-on litigation experience and knowledge of advancements in technology to manage all discovery-related aspects of complex litigation, investigations, and subpoena response. Kim drafts legal briefs, policies, and process workflows; handles hearings; negotiates electronic discovery protocols and agreements; takes and defends depositions of IT personnel and experts; supervises forensic consultants and experts; and advises clients on navigating

emerging eDiscovery issues, including mobile device management, ephemeral data, collaboration platforms, and cloud-based systems.

Kim has been certified by the International Association of Privacy Professionals as a Certified Information Privacy Professional for Europe (CIPP/E), which demonstrates her understanding of U.S. and global concepts of privacy and data protection law and practice.

Kim serves in leadership positions within the eDiscovery legal community, including as a member of The Sedona Conference Working Group 1 Steering Committee and as co-chair of the ABA's National Institute on eDiscovery. Kim frequently speaks on issues relating to electronic discovery.

Before joining Littler, Kim litigated employment disputes and complex ERISA matters before federal district courts and the U.S. Court of Appeals for the District of Columbia Circuit, in addition to advising on eDiscovery matters. Kim also previously served as a Special Assistant United States Attorney in the U.S. Attorney's Office for the District of Columbia, Civil Division, where she litigated numerous cases brought against the United States.

## Professional and Community Affiliations

- Program Co-Chair, National Institute on E-Discovery, American Bar Association, 2021-present
- Member, Steering Committee, Working Group on Electronic Document Retention and Production (WG1), The Sedona Conference®, 2022
- Member, Working Group on International Electronic Information Management, Discovery and Disclosure (WG6), Working Group on Trade Secrets (WG12), The Sedona Conference®
- Member, International Association of Privacy Professionals

## Education

J.D., Georgetown University Law Center, 2009

B.A., Amherst College, 1999, *cum laude*

## Bar Admissions

Virginia

District of Columbia

## Courts

U.S. Court of Appeals, District of Columbia

## **Publications & Press**

### **Littler Selects New Leaders for Bollo Affinity Group**

*Littler Press Release*

March 26, 2024

### **Littler Elevates 33 Attorneys to Shareholder**

*Littler Press Release*

January 6, 2022

### **Strengthening Diversity & Inclusion in E-Discovery in a Post-Pandemic World**

*LegalTech News*

June 2, 2020

### **Littler Announces Winner of First Annual Wesley J. Fastiff Ingenuity Award**

*Littler Press Release*

January 22, 2020

### **The Mutual Obligations – and Benefits – of Cooperation in Discovery**

*National Employment Lawyer's Association*

April 2018

## **Speaking Engagements**

### **2024 Mid-Atlantic Regional Employer Conference**

Washington, DC

June 21, 2024

### **Flip the Script: Using Plaintiff's Data to Win Your Case**

Littler Executive Employer Conference, Phoenix, AZ

May 10, 2024

### **Judicial Perspectives on E-Discovery**

The American Bar Association's 17th Annual National Institute on E-Discovery, Live and On-Demand

May 5, 2023

### **Electronic Evidence Issues In The Modern Era: Laying A Foundation For Trial**

NELC 28th Annual Conference 2023, Washington, DC

May 3, 2023

**Cybernetic Eyes May Be the Mirror of Our Soul: What Artificial Intelligence Can Teach Us about Human Biases**

The Sedona Conference® Working Group 1 Midyear Meeting, Portland, OR  
April 27, 2023

**Stranger Things in eDiscovery: Ethical Challenges and Considerations for Discovery of New and Changing Technologies**

The Sedona Conference® Working Group 1 Annual Meeting, Philadelphia, PA  
October 28, 2022

**eDiscovery in Small Cases**

Panelist, The Sedona Conference® Working Group 1 Annual Meeting, Philadelphia, PA  
October 27, 2022

**The Application and Effectiveness of Discovery-Related Sanctions**

The Sedona Conference Working Group 1 Midyear Meeting 2022, Phoenix, AZ  
April 28, 2022

**Tackling Technology in Discovery: Practice Tips on Electronically Stored Information (ESI)**

22nd Annual Employment Law Update, Maine State Bar Association, Freeport, ME  
April 7, 2022

**Ethics and Technology at the Intersection of Proportionality and Scope of Discovery**

The Sedona Conference® Working Group 1 Annual Meeting  
October 21, 2021

**Building a Diverse, Equitable, and Inclusive Culture**

Zapproved's PREX 2021  
September 28, 2021

**Recruiting, Retaining, and Promoting Diverse Talent in the eDiscovery Community**

The Sedona Conference Working Group 1 Midyear Meeting 2021  
April 29, 2021

**When Custodians Leave: Mitigating Risks of Departing Employees**

15th Annual National Institute on E-Discovery  
April 21, 2021

**Inspire Greatness: How Inclusion and Diversity Elevates Your Workplace and Community**

Relativity Fest 2020  
September 23, 2020

**eDiscovery in the #MeToo Era: The Need for Background and Viewpoint Diversity on the eDiscovery Team**

The 14th Annual Sedona Conference Institute: eDiscovery, Data Privacy, and Security, St. Louis, MO  
March 5-6, 2020

**Case Law Update**

The 14th Annual Sedona Conference Institute: eDiscovery, Data Privacy, and Security, St. Louis, MO  
March 5-6, 2020

**How to Navigate ESI Discovery Efficiently and Effectively**

2020 MWELA Annual Conference, Metropolitan Washington Employment Lawyers Association, Washington, DC  
January 31, 2020

**Tracking Your Employees' Digital Trail**

2019 Mid-Atlantic Employer Conference, Bethesda, MD  
June 7, 2019

**eDiscovery Training Academy**

Georgetown University Law Center, Washington, DC  
June 4-6, 2019

**Case Law Update**

The 13th Annual Sedona Conference Institute: Protecting Privacy, Confidentiality, and Privilege in Civil Litigation,  
Charlotte, NC  
March 7-8, 2019

**Addressing Privacy Issues in Social Media Discovery**

The 13th Annual Sedona Conference Institute: Protecting Privacy, Confidentiality, and Privilege in Civil Litigation,  
Charlotte, NC  
March 7-8, 2019

**eDiscovery Training Academy**

Georgetown University Law Center, Washington, DC  
June 4-5, 2018

**ESI Protocols - Setting the Table for E-Discovery**

National Employment Lawyer's Association, Vienna, VA  
April 13-14, 2018

**Working Productively with the Other Side to Get What You Need**

National Employment Lawyer's Association, Vienna, VA  
April 13-14, 2018

