

In The News

Elan Hersh Talks eDiscovery and Self-collection Dangers

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In a new thought leadership piece published by Bloomberg Law, [Elan Hersh](#) discusses the risks of custodian self-collection in the discovery process, and how courts balance conflicting interests in ordering forensic collection of electronically stored information to overcome those concerns. Hersh, an Akerman partner and Director of eDiscovery Services, highlights some of the common pitfalls of self-collection and tips for avoiding them.

“Litigants gravitate toward self-collection to save time and money, especially if the client believes it is best positioned to find its own responsive documents. Yet, attorneys have a duty to adequately supervise litigants during self-collection or risk sanctionable discovery failures,” Hersh writes.

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