

**Federal Bar Association (FBA)  
Eastern District of Michigan  
“Social Media & It’s Impact on Litigation:  
From Discovery Through Trial”**

FRANKLIN, Mich. – April 15, 2010 – Stott Matthews, founder and managing partner of Spectrum Computer Forensics & Risk Management LLC, together with United States District Judge Robert H. Cleland and John Birmingham, chair of Foley’s National Labor and Employment Group, and moderated by Patrick G. Seyferth of Bush Seyferth & Paige PLLC, presented the Panel Discussion “Social Media & It’s Impact on Litigation: From Discovery Through Trial” at Wayne State Law School’s Spencer Partrich Auditorium.

The panel discussion focused on exploring current social-media issues as they relate to the litigation process. Patrick Seyferth provided an excellent intro to the discussion which included a video showing the scope of the challenge. United States District Judge Robert H. Cleland shared a practical perspective on his considerations regarding evidentiary issues, jury behavior, and post-litigation sanctions. John Birmingham discussed the various pieces of legislation that have influenced both Michigan Court and Federal rules, voir dire, and the ethical implications of producing evidence.

Matthews emphasized the evolving process of searching for, obtaining, and authenticating information found within ‘the cloud’ and defined it this way: “Where once ‘the cloud’ was a path through which data and information passed, it is now colloquially thought of as a destination in and of itself. It encompasses a wired and wireless environment in which data is stored on servers in diverse geographic locations and owned by third-party providers like Google, Microsoft, Yahoo and Facebook.”

“Cloud-based discovery presents unique challenges”, said Matthews. Timely access is but one of the challenges. Data is not persistent, unlike a PC’s hard drive or USB storage device, and preservation can be elusive. This includes information obtained from social media sources such as Facebook, LinkedIn, and Twitter. The most problematic are those with custom views, limiting who can see what and those whose dates can be changed, making their metadata unreliable.

**About Spectrum Computer Forensics & Risk Management**

Spectrum is a leader in providing digital-discovery and computer-forensics services, and the risk-mitigation strategies that surround these practice areas. Law firms and corporations rely on Spectrum for the most challenging e-discovery work involving employment, trade secret, intellectual property, and other litigation-related matters. Founder and Principal, J. Stott Matthews, is an EnCase Certified Examiner (EnCE) and Certified Information Systems Security Professional (CISSP). Matthews also is a Professional Investigator, licensed by the State of Michigan, as currently required by state law. Together with his experience as a Fortune 10 executive, Matthews’ expertise bridges the critical gap between technology, business, and the law. Spectrum has offices in the Greater Metro-Detroit area and Philadelphia, Pennsylvania.