

Featuring Speakers From:

- Assembly Committee on Public Safety
- Best Best & Krieger
- Burke Williams & Sorensen
- Cannata O'Toole Fickes & Olson
- County of Orange
- First Amendment Coalition
- Los Angeles Times and San Diego Union-Tribune
- Mastagni Holstedt
- Senate Committee on Public Safety
- Superior Court of California, County of Alameda
- The Law Office of Karlene Goller
- U.S. Attorney's Office, Northern District of California
- University of California

Who Should Attend:

Attorneys, journalists and other professionals interested in government transparency as it relates to the California Public Records Act

The Seventh Annual Seminar on the

Public Records Act Litigation

Top PRA specialists will cover the latest developments in requests, responses, and litigation



September 17, 2019

Concord, California

Crowne Plaza Concord/Walnut Creek

Credits: CA 6.75 MCLE (call about others)
Quick when/where: 8:30 a.m., 45 John Glenn Drive

Public Records Act Litigation Seminar

September 17, 2019 | Concord, California
 Crowne Plaza Concord/Walnut Creek

Yes! Please register me:

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If you cannot attend in person, check boxes to order:

- Audio Replay Video Replay Course Materials



8:00 Registration Opens

8:30 Introduction & Overview

Karl Olson, Esq., Program Co-Chair
Cannata O'Toole Fickes & Olson ~ San Francisco, CA

Nikki Moore, Esq., Program Co-Chair; Legal Counsel
Assembly Committee on Public Safety ~ Sacramento, CA

8:45 Battle Royal Over Police Records and the PRA

Senate Bill 1421 creating a greater public right to access to police records, and numerous lawsuits over its application

Nikki Moore, Esq., Program Co-Chair; Moderator

Gabe Caswell, Esq., Counsel
Senate Committee on Public Safety ~ Sacramento, CA

David E. Mastagni, Esq.
Mastagni Holstedt ~ Sacramento, CA

Jeff Glasser, Esq., General Counsel
Los Angeles Times and San Diego Union-Tribune
Los Angeles, CA

10:15 Break

10:30 Similarities and Key Differences Between California's PRA and the Federal Freedom of Information Act (FOIA)

Vaughn Indexes under FOIA; new Supreme Court case on "trade secret" exemption; deliberative process assertions; search affidavits; fees to search vs. fees for duplication; FOIA ombudsman role; when to look to FOIA for guidance on PRA issues

David Snyder, Esq., Executive Director
First Amendment Coalition ~ San Rafael, CA

Ellen London, Esq., Assistant United States Attorney
U.S. Attorney's Office, Northern District of California
San Francisco, CA

11:30 Electronically Stored Information (ESI) and how to Produce ESI In Response to PRA Requests (LSI)

Tips for using e-discovery technology and principles to efficiently and accurately fulfill requests for ESI and avoid potential financial liability

Christine Wood, Esq.
Director of PRA Services and E-Discovery Counsel
Best Best & Krieger ~ Los Angeles, CA

12:15 Lunch (on your own)

1:30 Quick Takes

PRA and Attorney-Client Privilege: City of Hemet v. Concerned Citizens of Hemet rejecting in-camera review as an appropriate remedy for an inadequate privilege log and establishing bases for waiver of attorney-client privilege

Stephen A. McEwen, Esq.
Burke Williams & Sorensen ~ Santa Ana, CA

Constructive possession

Karl Olson, Esq., Program Co-Chair

Michael R. Goldstein, Esq., Senior Counsel
University of California ~ Oakland, CA

2:30 Update on Other Pending and Recent Cases

HongDao Nguyen, Esq.
Best Best & Krieger ~ Irvine, CA

3:15 Break

3:30 Special Address: A View from the Bench on PRA Litigation

The most problematic issues from a judicial perspective, and effective advocacy strategies

The Hon. Evelio M. Grillo, Esq., Judge
Superior Court of California, County of Alameda
Oakland, CA

4:00 Legal Ethics

Issues for lawyers involved with inadvertent disclosure or constructive possession issues

Karlene Goller, Esq.
The Law Office of Karlene Goller ~ Pasadena, CA

Annie Loo, Esq., Deputy County Counsel
County of Orange ~ Santa Ana, CA

5:00 Evaluations and Adjourn

Easy Ways to Register
Online: www.lawseminars.com
Phone: (206) 567-4490



About the Seminar



What previous attendees have said:

"Excellent conference."

"Uniformly Excellent Program: Speakers, Materials, and Venue."

"The seminar was useful particularly because panels included multiple/opposing points of view on the topic."

"As a first responder to PRA requests, this seminar has been extremely helpful."

This seminar led by top specialists in California's Public Records Act (PRA) will cover the latest developments in PRA litigation and responses, including recent California Supreme Court and Court of Appeal decisions. It will cover the battle over access to police records in the wake of recently-enacted Senate Bill 1421; frequently invoked exemptions; and strategies for both requesters and government agencies in making and responding to Public Records Act requests.

Top professionals will cover the intersection between the public's right of access to records and privacy concerns; the "deliberative process" assertions; and a lively debate on records retention. Participants will also discuss the aftermath of the California Supreme Court's decision on emails on "private" electronic devices, "inadvertent disclosure", and other recent developments in Public Records Act law.

We hope to see you there.

~ Program Co-Chairs: Nikki Moore, Esq. of Assembly Committee on Public Safety and Karl Olson, Esq. of Cannata O'Toole Fickes & Olson



Nikki Moore, Program Co-Chair, is Legal Counsel for the Assembly Committee on Public Safety. She previously was Legal Counsel and Legislative Advocate for the California News Publishers Association and a staff writer for the Daily Nexus in Santa Barbara.



Karl Olson, Program Co-Chair, is a partner at Cannata O'Toole Fickes & Olson. He specializes in Public Records Act litigation and in defending news media clients and individuals against defamation and "SLAPP suits" (Strategic Lawsuits Against Public Participation).



The Hon. Evelio M. Grillo, Special Address, is a Judge in The Superior Court of California, County of Alameda. Prior to being appointed and then elected to the bench, he was a partner at the firm of Grillo and Stevens.

Gabe Caswell is Counsel for the Senate Committee on Public Safety. His areas of expertise include sex offenses, firearms, and law enforcement protocols, oversight, and training.



Jeff Glasser is General Counsel for the Los Angeles Times and San Diego Union-Tribune. He is a board member and chair of the Governmental Affairs Committee for the California News Publishers Association.



Michael R. Goldstein, Senior Counsel at the University of California, has served in the Office of the General Counsel for The Regents of the University of California since 1998.



Karlene Goller, The Law Office of Karlene Goller, provides independent, strategic business and legal counseling for global media companies, filmmakers, start-ups, reporters, producers, and authors. She also teaches Media Law at the University of California, Irvine School of Law.



Ellen London is an Assistant United States Attorney in the U.S. Attorney's Office for the Northern District of California. She has a first-chair litigation record in the Northern District spanning a wide array of complex federal regulatory issues and administrative law questions.



Annie Loo is Deputy County Counsel for the County of Orange. She is a former reporter for the Orange County Register and advises the County on Public Records Act issues.



David E. Mastagni, Mastagni Holstedt, specializes in labor and employment representation of public safety employees. He represents peace officers and their unions in a variety of areas, including public records issues.



Stephen A. McEwen is a partner at Burke Williams & Sorensen. He currently serves as the Assistant City Attorney for the cities of Hemet and Atascadero.



HongDao Nguyen, Best Best & Krieger, formerly worked as a news reporter. She now serves as assistant city attorney for the cities of Stanton, Aliso Viejo, and Lake Forest, and as deputy city attorney for the City of San Clemente.



David Snyder, Executive Director of the First Amendment Coalition, is a lawyer and former journalist at the Albuquerque Tribune, the Dallas Morning News, and the Washington Post.



Christine Wood is Director of PRA Services and E-Discovery Counsel for Best Best & Krieger. She leads BB&K's Advanced Records Center, which provides support for public records matters, including PRA request processing.



Registration & Other Seminar Information

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Tuition: Regular tuition for this program is \$695 with a group rate of \$625 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$520. For students, people in their job for less than a year, and public interest NGO's, our rate is \$347.50. All rates include admission to all program sessions, food and beverages at breaks, and all course materials. Materials will be available for download and review a few days before the program. Make checks payable to Law Seminars International. Financial aid is available to those who qualify. Contact our office for more information.

Substitution & Cancellation:

You may substitute another person at any time. We will refund tuition, less

a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Wednesday, September 11, 2019. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

Seminar Location: The seminar will be held at the Crowne Plaza Concord/Walnut Creek at 45 John Glenn Drive in Concord, CA 94520. Call Cathy Jackson at the hotel directly at (925) 521-3787 for reservations at the specially negotiated rate of \$116.00, which includes free parking, and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

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You Will Learn About:

- *Special Address by Judge Evelio Grillo on PRA litigation*
- *Senate Bill 1421 creating a greater public right to access to police records*
- *Requests under California's PRA vs. requests under FOIA*
- *Use of e-discovery technology and principles to fulfill requests for electronically stored information*
- *PRA and Attorney-Client Privilege*
- *Constructive possession issues*
- *Case law update*
- *Ethical issues relating to inadvertent disclosure or constructive possession*

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