

Summary of Contents

Volume 1

PART I. THE NATURE OF ESI

Chapter 1. Introduction

Chapter 2. The Nature and Characteristics of Electronically Stored Information

PART II. PRE-LITIGATION MANAGEMENT OF ESI

Chapter 3. Electronic Records

Chapter 4. Obligation to Preserve ESI in Contemplation of Litigation

PART III. MANAGING ESI AFTER A PROCEEDING HAS BEEN INITIATED

Chapter 5. The Obligation to Disclose ESI

Chapter 6. Managing the Production of ESI

Chapter 7. Managing the Production of ESI in Criminal Proceedings

Chapter 8. Spoliation

Chapter 9. Ensuring Preservation of ESI Held by Others

Chapter 10. Pre-Trial Authentication of ESI

PART IV. USE AND PRESENTATION OF ESI AT TRIAL

Chapter 11. Admissibility of ESI Generally

Chapter 12. Admissibility of ESI as Real Evidence

Chapter 13. Admissibility of ESI as Documentary Evidence

Chapter 14. Admissibility of ESI as Demonstrative Evidence

Chapter 15. Working with ESI at Trial

Volume 2

Appendices

Appendix A. The Sedona Canada Principles Addressing Electronic Discovery, Third Edition

Appendix B. Guidelines for the Discovery of Electronic Documents in Ontario

- Appendix C. National Model Practice Direction for the Use of Technology in Civil Litigation
- Appendix D. National Generic Protocol for Use with the National Model Practice Direction for the use of Technology in Civil Litigation
- Appendix E. The Sedona Canada Commentary on Proportionality in Electronic Disclosure — Discovery
- Appendix F. Model E-Discovery and E-Trial Precedents
- Appendix G. Toronto Region Commercial List e-Delivery Pilot Project - Guidelines for Preparing and Delivering Electronic Documents requested by Judges, June 2012

Table of Cases

Index