

Highlights of the 2026–2027 Edition

In addition to updating this work with the most recent and significant new cases, highlights of this updated edition include the following:

- *Gonzalez v. Interstate Cleaning Corp.*, finding that failure to request the court apply the adverse evidentiary presumption or discovery sanctions waives the spoliation issue at trial and on any subsequent appeal.
- *Lim v. Expel*, holding where a company’s Employee Handbook explicitly stated “you may use Company property for incidental personal reasons,” an employee’s personal email data is protected by the California constitutional right to privacy.
- *White v. Walmart, Inc.*, noting that attorneys and litigants must exercise independent judgment and oversight when using AI discovery tools; reliance on AI without independent verification is improper.
- *United Association National Pension Fund v. Carvana Company*, stating although both traditional attachments and hyperlinked documents contained within an email may serve similar purposes, courts are loathe to treat them interchangeably.