
DOCKET

INFORMED. INDISPENSABLE. IN-HOUSE.

Telling the Whole Truth and Nothing But

Skills and Professional Development



Contrary to popular belief, lawyers don't enjoy going to court — we try our best to keep our company executives out of the courtroom (and the headlines). We strive to keep the proper policies and procedures in place in order to remain compliant and aware of any issues that may land on our desks. However, litigation inevitably comes up and we need to be prepared. Good thing ACC has you covered.

This issue of the *Docket* includes articles on the benefits of commercial arbitration (a wonderful alternative to litigation, when possible); what you need to know if a state or federal agency comes knocking to allege consumer protection violations; getting litigation holds right; document preservation (we all know how important this is when prepping for any case); and creating a robust corporate witness succession plan. If that's not enough, the cover story focuses on very real issues like data breaches and privacy regulations that can easily lead to the courtroom.

Protecting company and consumer data is crucial to all organizations. While it's mission impossible to eradicate all cyberthreats, you can help your company guard against them. In "Cybersecurity – Emerging Trends and Regulatory Guidance," the authors discuss what in-house counsel should do first, second and last when responding to a breach.

Whether it's a breach, perceived consumer protection violation or an unhappy former employee that leads to litigation, the end game is the same: The company needs to be prepared and the executives will look to the lawyers for guidance. Regardless of whether you work in this area on a regular basis, or like many in-house counsel never go before a judge and jury, you will be expected to lead the charge. In addition to this Litigation Management issue of the *Docket*, ACC's Litigation Committee is a great resource. Producing articles, webcasts, sample forms and more, the committee works to improve the practice of in-house litigation — covering topics like working with outside counsel and the

importance of litigation management in the overall business strategy of an organization.

Speaking of data protection, one resource you may want to check out is the recent webcast, "Six Keys to Data Preservation Excellence — Actions Corporations Must Take to Reduce Spoliation Risks."

Putting the proper policies and practices in place will hopefully keep your company out of the courtroom and off the evening news. But, if you ever do find yourself in front of a judge or preparing your legal team and executives to be, think of ACC as your secret weapon and expert witness. We promise to help you tell the whole truth.

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