The Discoverability of Ephemeral Communications

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Companies have made numerous adjustments during the pandemic, particularly embracing the use of quick, efficient communication tools to make remote work possible. But what impact will these tools have on discovery during litigation?

MG+M The Law Firm Partner Howard P. Goldberg, chair of the firm's information technology and e-discovery committees, and Associate Joseph Prive authored The *Legal Intelligencer* and *Law.com* article “And Just Like That, It Was Gone—The Discoverability of Ephemeral Communications,” which discusses how these real-time communication channels will be handled during the discovery process moving forward.

Messaging applications increased in popularity during the pandemic and they could have an effect on how courts handle electronically stored information (ESI) and how parties satisfy their legal obligations to preserve ESI under the Federal Rule of Civil Procedure.

To read more about how companies should evaluate their adoption of ephemeral communications, click here.

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