



O'MELVENY & MYERS LLP

Jeffrey Fowler

COUNSEL



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Jeffrey Fowler is a counsel in O'Melveny's Los Angeles office and a member of the Class Actions, Mass Torts, and Aggregated Litigation Practice. He is also one of the founders and leaders of the Electronic Discovery and Document Retention Practice.

Jeff is one of the few litigators in the country whose litigation practice is entirely dedicated to electronic discovery issues. Jeff's extensive experience spans a decade and includes some of history's first and largest electronic discovery matters.

For example, in 2002–2003, Jeff was one of the architects of a large scale electronic document production to the SEC and DOJ in connection with an investigation of a major telecommunications company. Since then, Jeff has become the Firm's go-to electronic discovery lawyer and consults on dozens of Litigation Department matters each year. Jeff presently serves on the legal team representing Advanced Micro Devices, Inc. in its civil antitrust lawsuit against Intel Corporation. Early in the case, Jeff helped negotiate several precedent-setting stipulations designed to limit the otherwise infinite amount of electronic evidence in the possession of the parties and the dozens of computer manufacturers, retailers, and distributors subpoenaed in *AMD v. Intel*.

Jeff also consults with clients on topics related to electronic discovery, including document retention practices, data security issues, information technology usage policies, trade secret misappropriation investigations, and litigation

preparedness plans. Jeff has earned a national reputation as a noted speaker and writer on electronic discovery issues. He is a regular panelist for Strafford Teleconferences and is the co-author of the practice guide entitled, "Preserving Electronic Information: A Practical Approach," BNA Books (2009).

Illustrative Professional Experience

- Represents **Advanced Micro Devices, Inc.** in a worldwide monopolization lawsuit and related regulatory investigations against Intel Corporation
- Represents **Honeywell International, Inc.** in a series of antitrust class actions involving its residential thermostat products
- Represented a major telecommunications company in SEC and DOJ investigations and in related shareholder class action lawsuits
- Represented **WellPoint Health Networks** in In Re: Managed Care, a series of multi-district class actions filed against every major health insurer in the United States
- Representing a nationwide property and casualty insurance company in a malicious prosecution action against the company and its top executives
- Represented an aeronautics company in federal and state court against class and mass toxic tort actions involving air and groundwater contamination in Burbank, California
- Trial counsel in a federal bench trial of an ERISA claim on behalf of a major institutional investment advisor; successful judgment obtained

Professional Activities

Admitted to Practice, U.S. Court of Appeals, Ninth Circuit; U.S. District Court, Central and Northern Districts of California

Member, Strafford Publications' [Litigation & ADR Advisory Board](#)

Board of Governors, The Organization of Legal Professionals (2009)

Co-Author, "Preserving Electronic Information: A Practical Approach," BNA Books (forthcoming 2009)

Author, "So You Want to Be A Producer: A Successful Document Production Starts With A Great Script and A Solid Cast," *The E-Discovery Standard* (LexisNexis/Applied Discovery) Spring Issue 2005; *The E-Discovery Special Report* (Mealey Publications) 2006

Speaker and Panelist, Various electronic discovery topics including: *e-Discovery Case Law Update – Winter 2009*, Fios, Inc. (December 2009); *e-Discovery Case Law Update – Winter 2009*, Fios, Inc. (December 2009); *Cost Savings in E-Discovery*, Huron Consulting Group (October 2009); *Practice Tips for Litigation Holds*, National Constitution Center (August 2009); *California E-Discovery Law: Obtaining ESI Under the New Rules*, Strafford (August 2009); *AB 5 and What You Need to Know*, Women in E-Discovery (July 2009); *Litigation Holds and Rule 45 Subpoenas: Nonparty Preservation Essentials*, National Constitution Center (June 2009); *Practice Tips for Litigation Holds*, National Constitution Center (March 2009); *Effective Litigation Holds: Best Practices to Reduce Costs and Risk Under the Amended Federal Rules*, Live Teleconference (February 2009); *First Steps on the Path to Production*, West Legalworks E-Discovery: An A-Z Workshop (September 2008); *The Complexity of Litigation Hold Plan Implementation*, E-Discovery Conference for the Pharmaceutical, Biotech and Medical Devices Industries (September 2008); *Inspecting Digital Forensics and Forensic Analysis*, 5th E-Discovery Legal Conference (May 2008); *Implementing Effective Litigation Holds*, Strafford Publications (March 2008); *Electronic Discovery and the*

professional focus

Class Actions, Mass Torts and Aggregated Litigation
Electronic Discovery and Document Retention

education

University of California, Hastings College of Law, J.D., 1994

University of California at Berkeley, B.A., 1991

admitted

California

publications

[So You Want to Be a Producer](#) (The E-Discovery Standard, Summer 2005)

[Ninth Circuit Opinion Evaluates Privacy Protection for Text Messages](#) (Electronic Discovery Alert)

Amended Rules After a Year, West Legalworks (February 2008); *Managing Costs The Changing Relationship with Outside Counsel*, LegalTech New York (February 2008); *E-Discovery and Document Retention of Information Located in the EU*, Strafford Publications Teleconference (November 2007); *Effective Litigation Holds: What You Need to Know and Do Now*, National Constitution Center Audio Conference (November 2007); *Effective Litigation Holds: Best Practices to Reduce Risks and Costs under the New Federal Rules*, Strafford Publications Teleconference (October 2007); *Electronic Evidence: Strategies for Admissibility*, Strafford Publications Teleconference (August 2007); *Minimizing Risk: Where Should Data Live?*, ALM's LegalTech West Coast (June 2007); *Litigation Holds: Strategies for Reducing Risk and Lowering Litigation Costs*, Strafford Publications Teleconference (June 2007); *Litigation Risk of Inadequate Data Management*, Strafford Publications Teleconference (April 2007); *Practice Under the New E-Discovery Amendments*, BNA (April 2007); *The Technology Revolution and New Associates*, ALM's LegalTech New York (January 2007); *Document Retention and Electronic Discovery Issues*, Annual Meeting, National Telecommunications Cooperative Assn. (November 2006); *Electronic Discovery Best Practices*, LexisNexis/Applied Discovery (October 2006); *E-Discovery in Patent Litigation Workshop*, BNA Patent Litigation Seminar Series (September 2006); *Meeting the Demands of Document Retention*, Strafford CLE Teleconferences (July 2006); *Examining Notable E-Discovery Case Law & Federal Rules Changes - 2006 Mid-Year Update*, Kroll OnTrack Webinar (June 2006); *Surviving 'The ED Age' Together*, ALM's Legal Tech West Coast (June 2006); *Symposium on Electronic Discovery and Document Retention*, California Continuing Education of the Bar Seminar Series, (May 2006; June 2006); *Overcoming IT Hazards in Electronic Discovery*, ALM's LegalTech New York (January 2006); *E-Discovery Best Practices*, Bridgeport Seminar Series (January 2006); and *E-Discovery Certification Course*, LexisNexis/Applied Discovery (September 2005; February 2005)

Internal Speaking Engagements, "A Legally Defensible Strategy for the Collection of Electronic Records" O'Melveny (August 2009); "ESI: Preservation/Early Case Assessment" O'Melveny (June 2009); "Electronic Discovery: It Could Happen to You!" O'Melveny (April 2009); "E-Discovery Fundamentals" O'Melveny (April 2008); "So You're in Litigation: E-Discovery Preservation and the Initial Case Management Conference," O'Melveny (June 2007); "Electronic Discovery: Strategies for Class Action and Mass Tort Practitioners," Class Actions Mass Torts and Aggregated Litigation Practice Group Retreat (October 2006); "Electronic Discovery and Document Retention: Practical and Strategic Considerations in a Changing Environment" (August 2005)

Chair, Legal Aid Foundation of Los Angeles Associates Advisory Board (2005-2006)

Co-Chair, Legal Aid Foundation of Los Angeles — Associates' Campaign (2003-2004)