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April 14, 2004
University of Richmond, Virginia

Dear Readers:

On behalf of the 2003-2004 Editorial Board, it is my pleasure to welcome you to the fifth and final issue of the *Richmond Journal of Law & Technology's* 2003-2004 publication term! This issue represents another "first" for the *Journal* – the world's *first* Annual Survey dedicated to e-Discovery law. For more information on this Issue, I invite you to read the Letter from the Annual Survey Editor and the article, *A Topic Both Timely and Timeless*, prepared by Professor James Gibson.

As the 2003-2004 publication term comes to an end, I feel obligated to say a word of thanks to the many persons who have contributed to the *Journal's* overall success over the past year. This year marks the *Journal's* ninth year as a leading technology law review, evidenced by five total publications containing contributions from thirty individuals across the globe. I would thus like to begin by thanking all thirty of these individuals for their hard work and contributions to the publication. Without our authors, we would not be what we are today.

Next, I must thank the entire staff and Editorial Board of the *Journal*. The 2003-2004 Editorial Board consists of ten third-year law students, excluding myself, and I have been honored to work by their side over the past year. Each of the *Journal's* Editors is sure to be a success in life, and each Editor has made material contributions to the *Journal*. While I could write pages of compliments on each Editor, I will simply say Thank You to all ten of them.

I must also personally thank Ms. Kathy Kreye, the *Journal's* Managing Editor. Over the past twelve months, Kathy spent day after day by my side working for this publication. Kathy never turned down work, and in many cases, she showed me the right path for the *Journal*. She deserves individual recognition to the entire world, because she is quite possibly the hardest and most dedicated worker I have ever known. Thank you.

To my parents, Ed and Liz Wallis, and my sister and brother-in-law, Mollie and Nathan Carter, I say thank you for your constant support over the past twelve months. And last, but most certainly not least, to Diana Williams, I thank you for always being there for me and for making me smile, laugh and relax when I most needed it.

Next year, the *Journal* looks forward to publishing at least four substantive issues and hosting a symposium on a cutting-edge legal topic in the spring of 2005, and on behalf of next year's Editor-in-Chief, Sean Kumar, I welcome your questions, comments, concerns, and submissions to the *Journal* at jolt@richmond.edu.

Sincerely,

Edwin E. Wallis III
Editor-in-Chief

April 14, 2004
University of Richmond, Virginia

Dear Readers:

Welcome to the inaugural issue of the *Richmond Journal of Law & Technology's* Annual Survey on Electronic Discovery Law! This is the world's first student-edited annual survey dedicated to e-Discovery and will be published annually as long as e-Discovery remains a pressing, evolving issue.

Designed to draw on the experience of e-Discovery's seasoned veterans, the Survey consists of practitioner pieces focused with laser precision on various aspects of the e-Discovery process. From an initial list of more than 350 potential authors, five were selected for publication. These initial authors belong to an exclusive, yet ever expanding, group of practitioners with firsthand knowledge of the devilish details of e-Discovery. They were chosen for their experience, in the hopes that through sharing their stories, opinions, and ideas, they could help demystify the mythic beast of e-Discovery.

The Survey begins with *A Topic Both Timely and Timeless* by Professor James Gibson, insightfully outlining the main concerns and setting the stage for the other articles. In "*Do I Really Have to Do That?*" *Rule 26(a)(1) Disclosures and Electronic Information*, Magistrate Judge David Waxse, from the District of Kansas, discusses the mandatory initial disclosure requirements as they relate to electronic documents and data. Virginia Llewellyn, Vice President of Industry Relations for LexisNexis Applied Discovery, offers a series of tips and recommendations for in-house and outside counsel faced with e-Discovery requests in *Electronic Discovery Best Practices*. The Survey continues with an incisive article by Stephen Williger and Robin Wilson, of the distinguished law firm Thompson & Hine LLP. Their *Negotiating the Minefields of Electronic Discovery* discusses the most shocking aspect of e-Discovery – cost and cost-shifting. Finally, Robert Brownstone, the Practice Technology Manager at Fenwick & West LLP, offers a fresh perspective on the e-Discovery process, advocating a cooperative approach in *Collaborative Navigation of the Stormy e-Discovery Seas*.

My sincere thanks go to the entire Editorial Board, especially Ed Wallis and Kathy Kreye, who worked tirelessly to make the Survey a reality. I also thank the Annual Survey Committee and the entire *Journal* staff for their hard work throughout the year. I am indebted to Professor James Gibson, whose guidance proved invaluable. Above all, I thank Melinda Drozd for her patience and willingness to be my most trusted counsel.

Finally, I invite your comments and suggestions about the Survey to jolt@richmond.edu; with your feedback we will be able to custom-tailor the Survey to better meet your needs in this dynamic digital world.

Sincerely,

Joshua N. Cook

MASTHEAD

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