
Generative AI for Legal Uses

Arizona Bar Association Presentation

JOHN ROSENTHAL

John Rosenthal

▶ WINSTON & STRAWN LLP – WASHINGTON, D.C.

- Antitrust and commercial litigator and trial lawyer.
- Substantial MDL and complex litigation experience.
- Chair, Winston eDiscovery & Information Governance Practice.
- National eDiscovery counsel for several Fortune 500 companies.

▶ THE SEDONA CONFERENCES

- Working Group 1 on Electronic Discovery (former steering committee member).
- Working Group 6 on International Privacy.
- Working Group 11 on Data Security.

▶ ADVISORY BOARD – GEORGETOWN LAW SCHOOL EDISCOVERY INSTITUTE

▶ D.C. BAR – E-DISCOVERY COMMITTEE

▶ CO-CHAIR FJC – JUDICIAL TRAINING PROGRAM (2017–2019)

▶ EDITOR-IN-CHIEF – EDISCOVERY ADVANTAGE

▶ AUTHOR OR CONTRIBUTOR TO SEMINAL WRITINGS IN THE FIELD, INCLUDING:

- Editor, Federal Judge’s Guide to Discovery (3rd ed.).
- Duke Conference’s Guidelines and Practices for Implementing the 2015 Discovery Amendments.
- Numerous Sedona Conference Commentaries (Principles).



“John Rosenthal is one of the best e-discovery lawyers in the US. One of his great strengths is how good he is in the courtroom and before judges about e-discovery matters.”

LEGAL 500 US



Agenda

- Introduction to Generative AI
- Application to the Legal Industry
- Guidance on Its Adoption



Flavors of AI in the Practice of Law

SENTIMENT ANALYSIS

PORTABLE AI MODELS

CONCEPT CLUSTERING

ANOMALY DETECTION

CUSTOM AI MODELS

AI MODEL LIBRARY



SOCIAL NETWORK ANALYSIS

TAR/CAL

COMPUTER VISION

AI TRANSLATION

AI TRANSCRIPTION

ENTITY EXTRACTION

2023 Arrival of Large Language Artificial Intelligence

TECH · A.I.


Bill Gates predicts A.I. will change the world more and faster than his personal computing revolution

In A.I. Race, Microsoft and Google Choose Speed Over Caution

Technology companies were once leery of what some artificial intelligence could do. Now the priority is winning control of the industry's next big thing.

Now Google to shove its answer to ChatGPT into Gmail, Docs, apps via APIs, more

PaLM springs forth

 [Katyanna Quach](#)

Tue 14 Mar 2023 | 21:25 UTC

Google has promised to offer API-level access to its large language model PaLM so that developers can build it into their apps and workflows, and thus make the ChatGPT-like text-emitting tech available to world-plus-dog.

Letter signed by Elon Musk demanding AI research pause sparks controversy

ChatGPT banned in Italy over privacy concerns

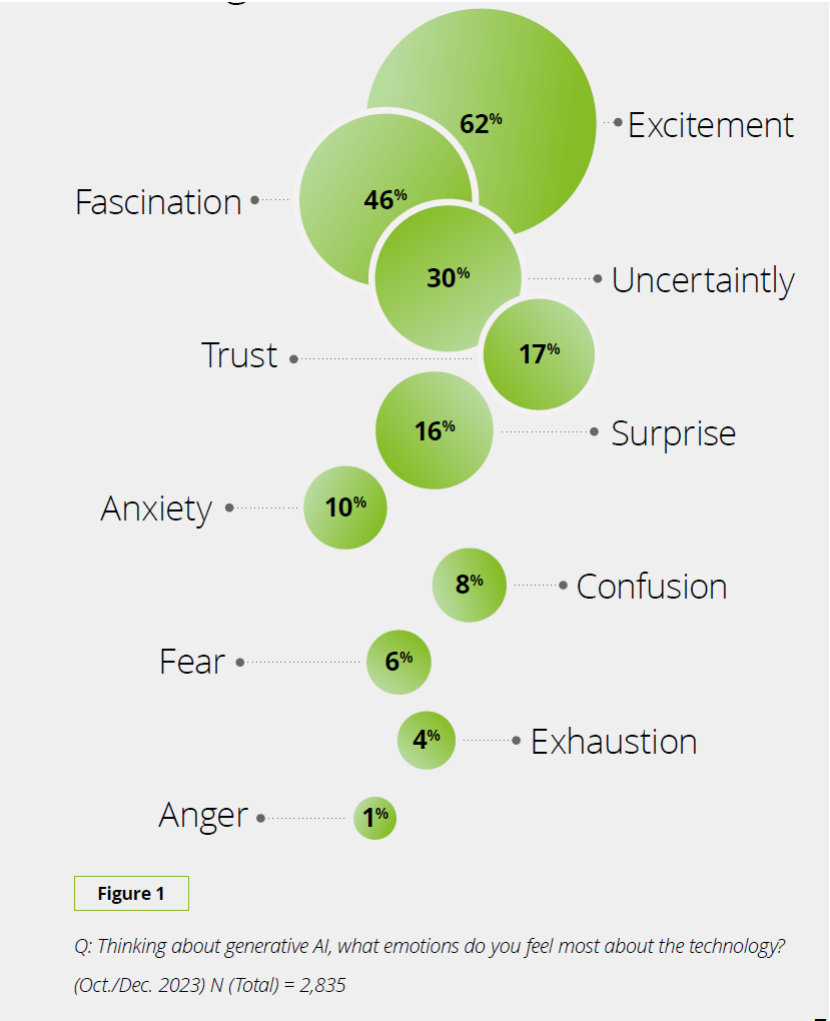
6 days ago



GETTY IMAGES

OpenAI launched ChatGPT last November

2024 Deloitte Survey – Range of Emotions re AI e



Source 1/24 Deloitte's
State of Generative AI in
the Enterprise


Judicial Reaction – Court Mandated Disclosures

- **ND Tex** (Judge Brantley Starr) **Mandatory Certification Regarding Generative Artificial Intelligence**. All attorneys and pro se litigants appearing before the Court must, together with their notice of appearance, file on the docket a certificate attesting either that no portion of any filing will be drafted by generative artificial intelligence (such as ChatGPT, Harvey.AI, or Google Bard) or that any language drafted by generative artificial intelligence will be checked for accuracy, using print reporters or traditional legal databases, by a human being. Accordingly, the Court will strike any filing from a party who fails to file a certificate on the docket attesting that they have read the Court’s judge-specific requirements and understand that they will be held responsible under Rule 11 for the contents of any filing that they sign and submit to the Court, regardless of whether generative artificial intelligence drafted any portion of that filing. Judge Brantley Starr, Judge Specific Requirements, *Mandatory Certification Regarding Generative Artificial Intelligence* (May 30, 2024).
- **Order on Artificial Intelligence**, U.S. Court of International, The Honorable Stephen Alexander Valden, Judge (June 8, 2024) U.S. Court Int. Trade (Judge Vaden) ORDERED that any submission in a case assigned to Judge Vaden that contains text drafted with the assistance of a generative artificial intelligence program on the basis of natural language prompts, including but not limited to ChatGPT and Google Bard, must be accompanied by: (1) A disclosure notice that identifies the program used and the specific portions of text that have been so drafted; (2) A certification that the use of such program has not resulted in the disclosure of any confidential or business proprietary information to any unauthorized party.
- **Standing Order for Civil Cases Before Magistrate Judge Fuentes**, U.S. District Court for the Northern District of Illinois (May 31, 2024), The Court has adopted a new requirement in the fast-growing and fast-changing area of generative artificial intelligence (“AI”) and its use in the practice of law. The requirement is as follows: Any party using any generative AI tool to conduct legal research or to draft documents for filing with the Court must disclose in the filing that AI was used, with the disclosure including the specific AI tool and the manner in which it was used.
- **Standing Order Re: Artificial Intelligence (“AI”) Cases Assigned to Judge Bayleson**, U.S. District Court for the Eastern District of Pennsylvania (June 6, 2024) Judge Michael M. Bayleson of the U.S. District Court for the Eastern District of Pennsylvania issued an order requiring attorneys and pro-se litigants to disclose the use of AI in drafting pleadings. His order, however, was not limited in scope to the use of GenAI tools; rather, it referenced AI tools in general.


Understanding the Technology

A Little Geek Speak


Machine learning (ML) is a branch of artificial intelligence (AI) that focuses on teaching machines to recognize patterns in data and make predictions or decisions based on those patterns. It involves feeding large amounts of data into a computerized algorithm, which then uses statistical techniques to identify patterns and make predictions or decisions about new data.



Large Language Model (LLM) is where an algorithm has been trained on a large amount of text-based data, typically scraped from the open internet, and so covers web pages and - depending on the LLM - other sources such as scientific research, books or social media posts.



Generative AI refers to a category of LLM that generates new outputs based on the patterns within data on which they have been trained. Like other forms of artificial intelligence, generative AI learns how to take actions based upon past data, but it also creates brand new content based on that training (such as images, videos, text, or computer code) rather than simply categorizing or identifying data.



Natural Language Chatbot is a software program that can understand and respond to human speech.

ChatGPT3

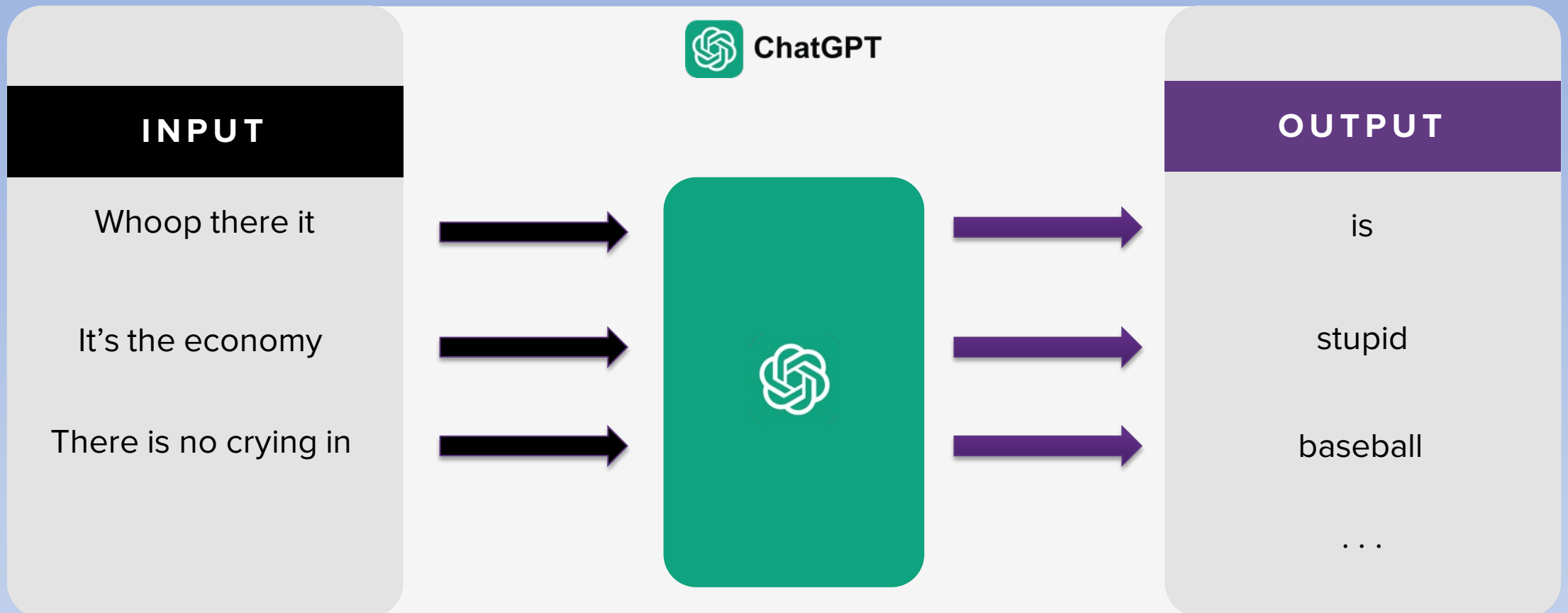


- **ChatGPT** is a Large Language Model designed to assist with generating human-like text in a chatbot or conversational setting based upon training on a large data set.
- **Generative** – it can **generate** the next word
- **Pretrained** – it was **pretrained** on a lot of text from the Internet and is thus ready to respond to questions
- **Transformer** – the underlying Deep Neural Network uses a particular kind of **network architecture** called the Transformer (architecture)



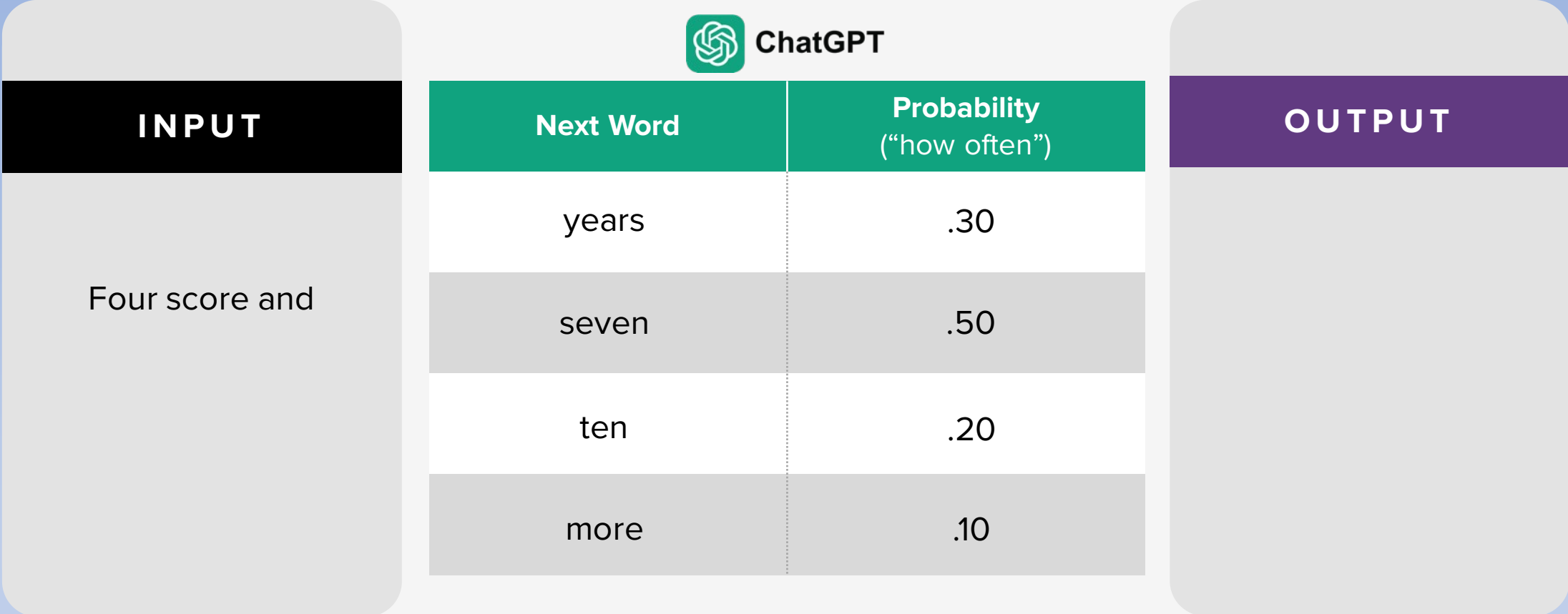
How It Works

Predict the *next* word in a sentence using the previous words.



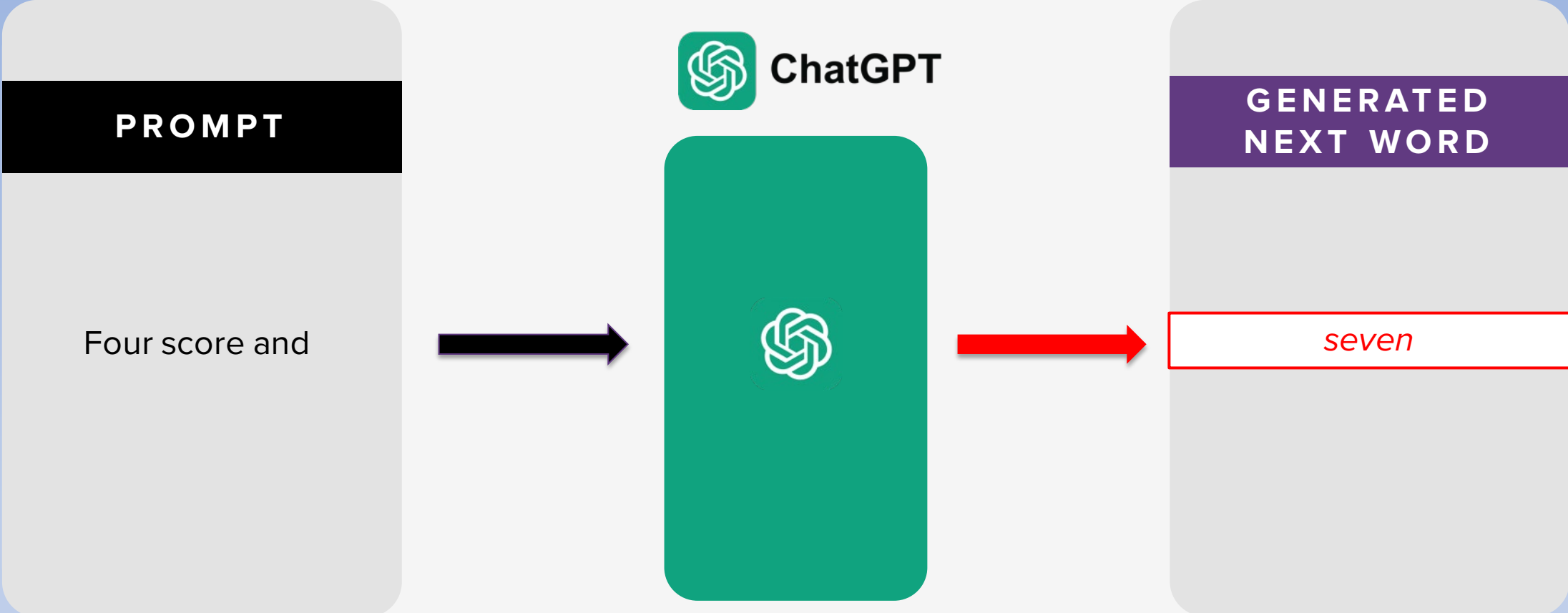
How It Works

It calculates a probability table.



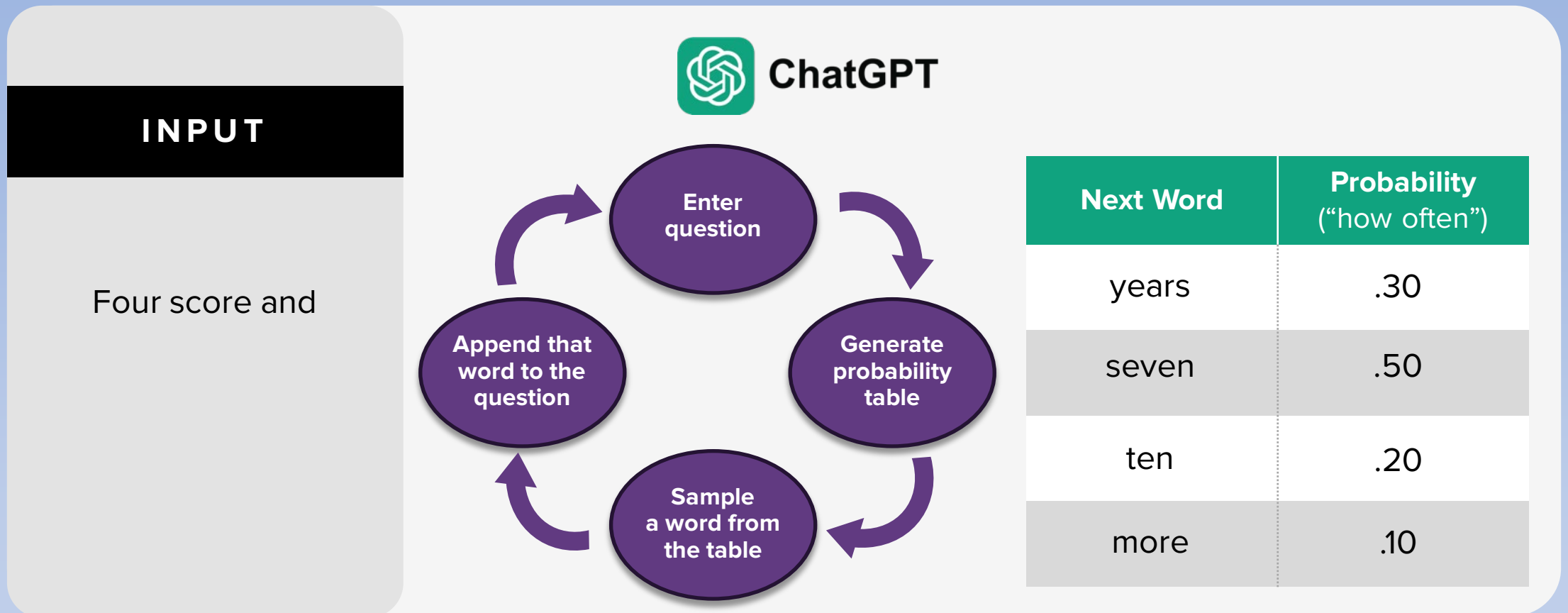
How It Works

It calculates a table and picks a word from it.

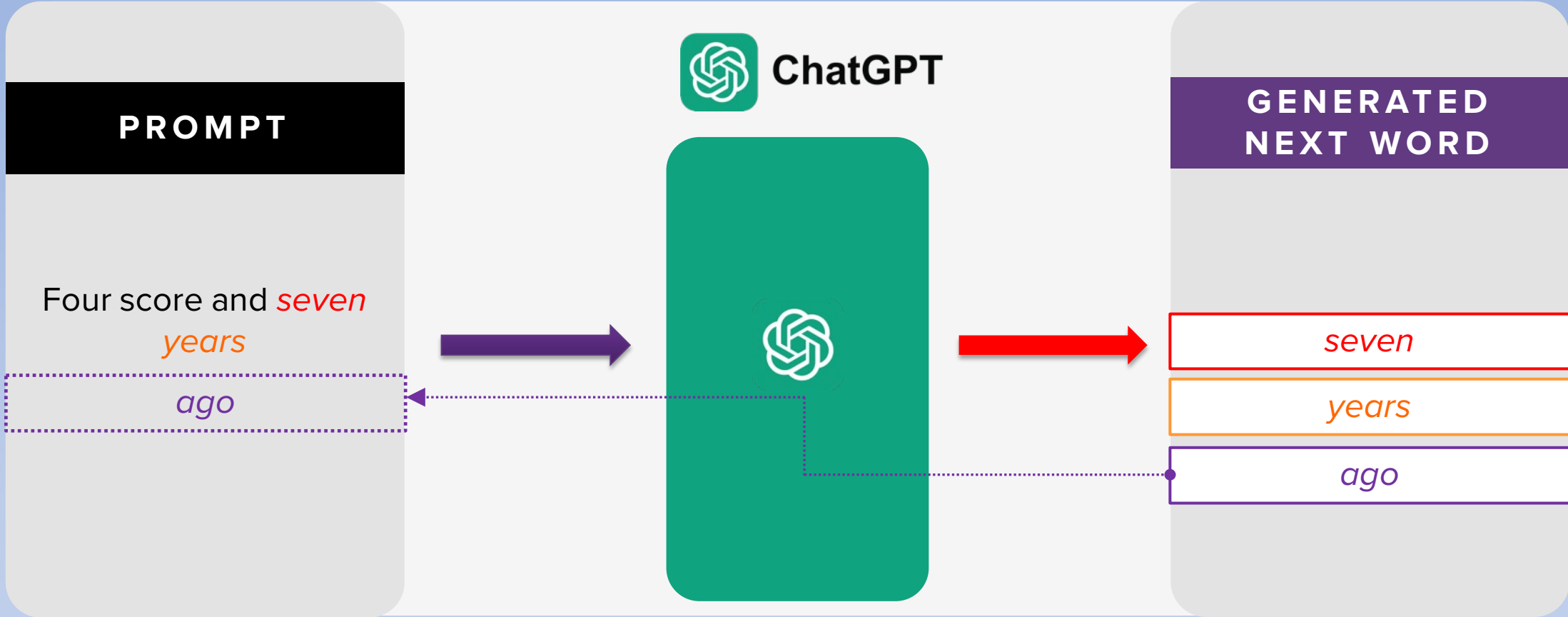


How It Works

Run a loop 1000s of times to predict an answer.



How It Works



Pretraining

- Provided human based answers to refine its learning (“Instruction Tuning”)
- Two types of training
 - 1. Supervised Human Training
 - Feedback loop to engage in human like conversation – maximizing the sequents and patterns of words – gives it the ability to respond not just in sentences
 - Human ranking of different results
 - 2. Unsupervised Learning or Reinforcement Learning (allows scaling of learning)
 - Uses is pretraining in step one to form a basis to engage in unsurprised learning
- What is it trained against:
 - Public models trained against entire internet
 - Private models are trained against specific data sets

Use Cases for Generative AI

Ask questions against knowledge	Chat / QnA	Code explanation	Summarization	Similarity Search	Knowledge Graphs
	Enterprise Search, Regulatory/compliance Troubleshooting & FAQ	Writes the description of code functionality in natural language	Market research, financial and legal analysis, report summarization	Product recommendations and competitive analysis	Sales leads generation
Insights from Knowledge	Prediction / Detection	Writing assistant	Data Segmentation	Parse data / Search	Key-value extraction
	Automate compilation of software documentation	Correct your writing, tips based on writing style, prepare first drafts	Defect/anomaly detection and customer sentiment analysis	Extract data from images, videos, audio, and text as summary or search	Data collection, claims processing and drug discovery
New data based on knowledge	Language Translation	Code generation	Protein sequences	Gaming	Generate images
	Translate text between different languages	Convert natural language text to Python/SQL code	Generate protein sequences for biological research purposes	Build storylines, characters, plots, etc on the go as the user plays	Create images based on natural language text

Problems

It gets things
wrong

It makes up
things
(hallucinations)

Bias (data, style,
historical, user)

Copyright

Defamation

Consumer
Protection –
False Advertising

Legal-Specific Use Cases

Generative AI in Practice

Administrative Uses

Gen AI is being used in law firm administrative departments to streamline operations and improve efficiency.

Education

Gen AI is used to create different types of course materials, simulations, and progress evaluation for use by practicing lawyers.

M&A Due Diligence

AI-based tools are used to analyze large repositories of deal documents and identify issues and risks.

Knowledge Management

Gen AI is used in a variety of KM tasks including: summarization, classification, search, and knowledge base creation.

Regulatory Compliance

AI is used to monitor regulatory changes and ensure compliance with evolving laws and regulations.

Chatbots/Virtual Assistants

AI-based chatbots and virtual assistants can be deployed to handle routine legal questions and tasks.

Sentiment Analysis

With its ability to understand meaning and context, Gen AI can assign sentiment scores to portions of text from many types of documents.

Research

Research systems and tools perform NLP searches and analyze large databases and provide enhanced narrative results.

Contract Analysis

Analysis tools identify clauses, terms, provisions and other elements, categorize, and recommend revisions.

Document Drafting

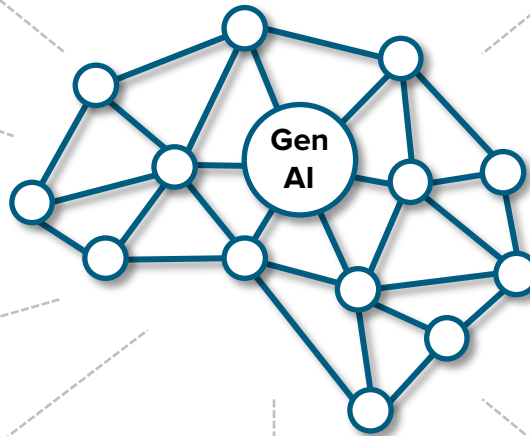
Gen AI is used to automatically create and revise, correspondence and legal documents of all types.

Document Review

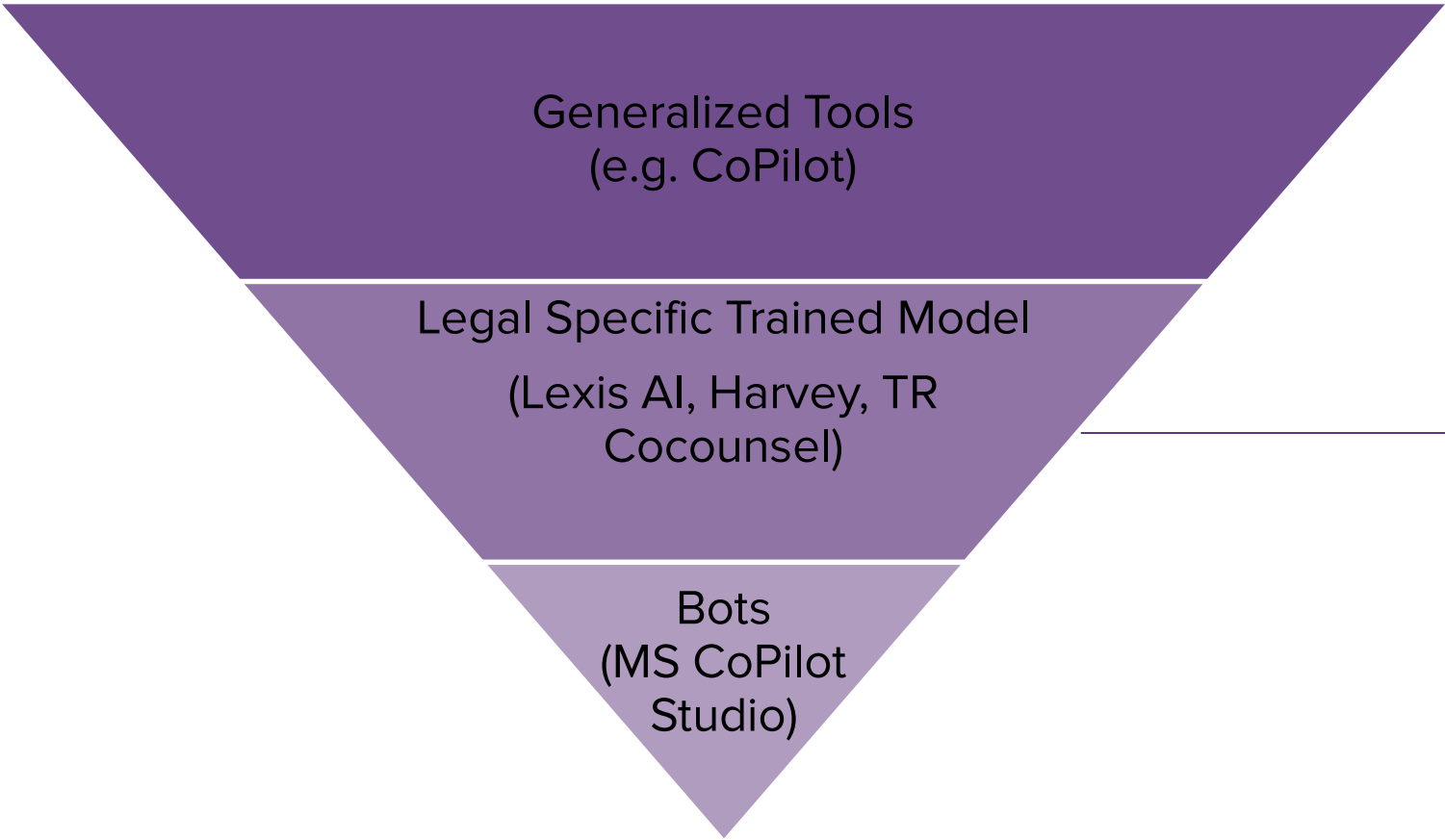
AI-enabled eDiscovery tools automate the review and classification of electronic documents.

Predictive Analytics

Gen AI models are used to analyze data from disparate sources and predict case outcomes.



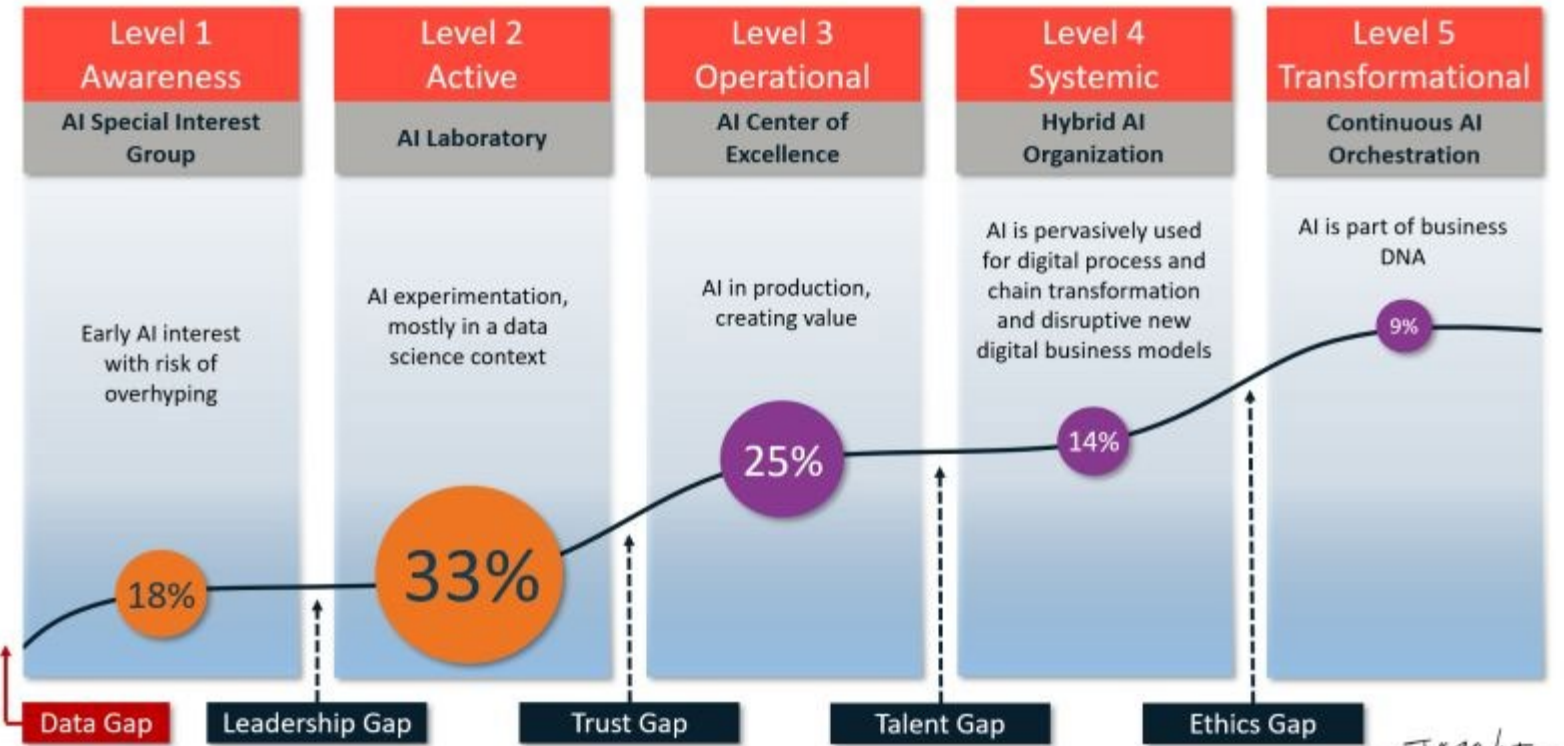
Gen AI Applications



- Multi-Purpose
- eDiscovery
- Litigation
- Transactional

Maturity Continuum

2023 AI Maturity Model



Sources: LXT – The Path to AI Maturity 2023, Gartner – AI Maturity Model, Morphl – The Extended AI Maturity Model

Jeff Winter

MS Copilot

Copilot
For Microsoft 365

Copilot uses AI. Check for mistakes.
[Legal Terms](#) | [Privacy and Cookies](#) | [FAQ](#)

What's new
What's the latest from **person**

Get key info
List key points from **file**

What did they say?
What did **person** say about

Where was I mentioned?
Summarize emails where I was mentioned recently

What can I help you with? Try one of the examples or enter your own prompt.

Copilot Lab

Saved prompts Categories

- What's new?**
What's the latest from **person**, organized by emails, chats, and files?
- Start the conversation**
Suggest common questions that can be asked to get retrospective started with my colleagues.
- Get off to a great start**
Write a compelling intro paragraph to **doc**.
- How to**
How do I write a request for proposal?
- Don't miss out**
Summarize Teams messages where I was @mentioned this week.
- Get calendar info**
When's my next meeting with **person**?
- Brainstorm**
Suggest 10 compelling titles based on **file**.
- Help me write**
Write an email to my team about our top priorities for next quarter from **file**.
- Translate**
Translate the following text into French:
- Prep for that meeting**
- Generate ideas**
- Stay on top**

Go to Copilot Lab

View prompts

New chat Ask me anything or type / to add people, files, and more 0/4000

when is a reply brief due unde Yesterday
how do i write and opinion let Yesterday
communications from steve d'am Yesterday
how do i browse for a file Yesterday
copilot licenses Yesterday
Summarize the recent cases und Yesterday
Summarize Teams messages where Apr 6, 2024
how do i find something on wins Apr 6, 2024
summarize my e-mails form doug Apr 2, 2024
What's the latest from Cohen. Feb 26, 2024


<https://www.bing.com/chat>

MS Copilot Uses

52:52

Take control Pop out Chat People Raise React View Notes Copilot More Came

A day in the life of a lawyer



8:00 AM Find key communications

Some lawyers start their days early, especially if they need to communicate with international clients. Hillary uses Copilot to quickly find emails from two UK clients so that she can follow up with them on critical matters before COB.

8:00 AM M365 Chat

Catch up on emails and quickly find ones from clients who require prioritized follow-up.

9:30 AM Prioritize in seconds

Copilot assists by prioritizing emails for specific clients, summarizing key content, and listing action items in a table, noting the people assigned for follow-up. Copilot even drafts email responses based on Hillary's preferred writing style and tone.

9:30 AM Copilot in Outlook

Summarize emails and interactions with key colleagues and clients. Copilot also coaches her email to provide clarity.

10:00 AM Engage in high-value work

Copilot helps Hillary by summarizing meetings, extracting key points, and generating follow-ups. This allows her to actively participate in the meeting and rely on Copilot to take the notes. Using Copilot without transcription doesn't save a copy of a recording or transcript, so she can use it for client meetings without discovery concerns.

10:00 AM Copilot in Teams

Summarize the meeting and be sure to list all the actions and requirements that were mentioned.

11:30 AM

Hillary eats an early lunch at her desk and asks Copilot to find all the emails sent and received from a client as well as any meetings from the last three days. She asks for the summaries, participants, and dates in a table format so that she can update her time appropriately. There is also potential for a Custom Copilot to help with Time Entry!

11:30 AM M365 Chat

Custom Copilot

4:00 PM Create compelling presentations

Hillary is preparing for a client pitch tomorrow. She asks Copilot to use her outline in Word to generate a PowerPoint presentation from it and requests appropriate imagery.

4:00 PM Copilot in PowerPoint

Create a presentation in seconds with content from a Word document.

2:00 PM Save time

Hillary sends the new billing guidelines to Finance for review, but she has a few questions for the client. She uses Copilot to draft both emails.

2:00 PM Copilot in Outlook


Quickly identify questions from client communications without having to delegate the task to someone else to suggest next steps.

12:30 PM Extract key information

Hillary just received a new set of billing guidelines from a client. She uses Copilot in Word to generate a summary of these requirements. Then she asks Copilot to compare the main differences between the new and prior guidelines and put the differences in a table view.

12:30 PM M365 Chat

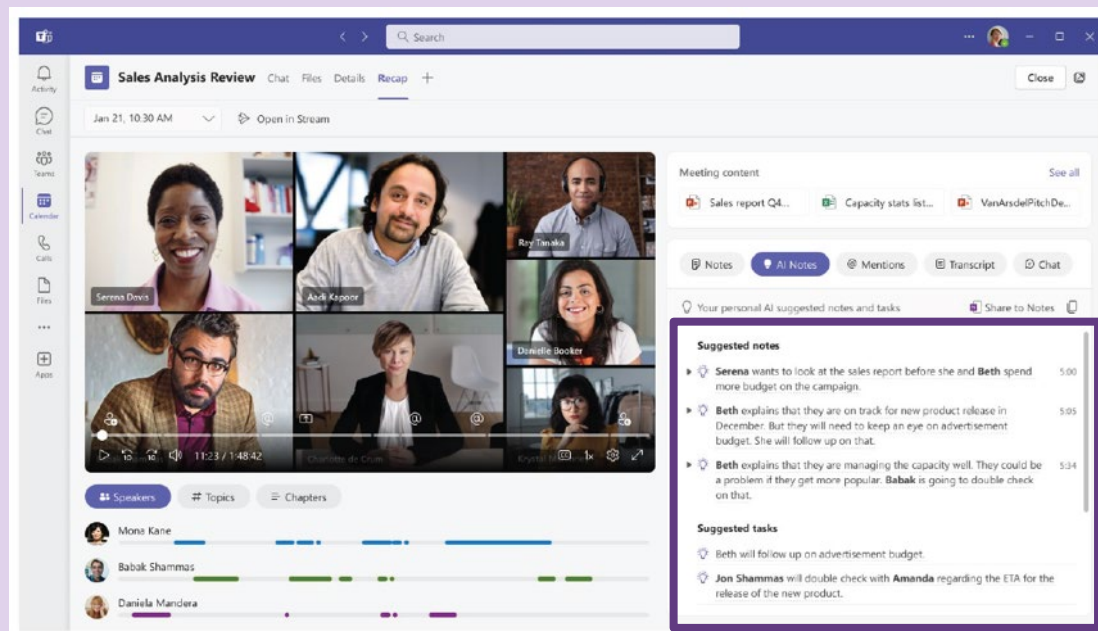
Summarize critical new information and highlight key changes from prior guidelines.



Hillary is a Lawyer

MS Teams

Focus on what matters with AI-powered meetings, including ChatGPT from OpenAI.



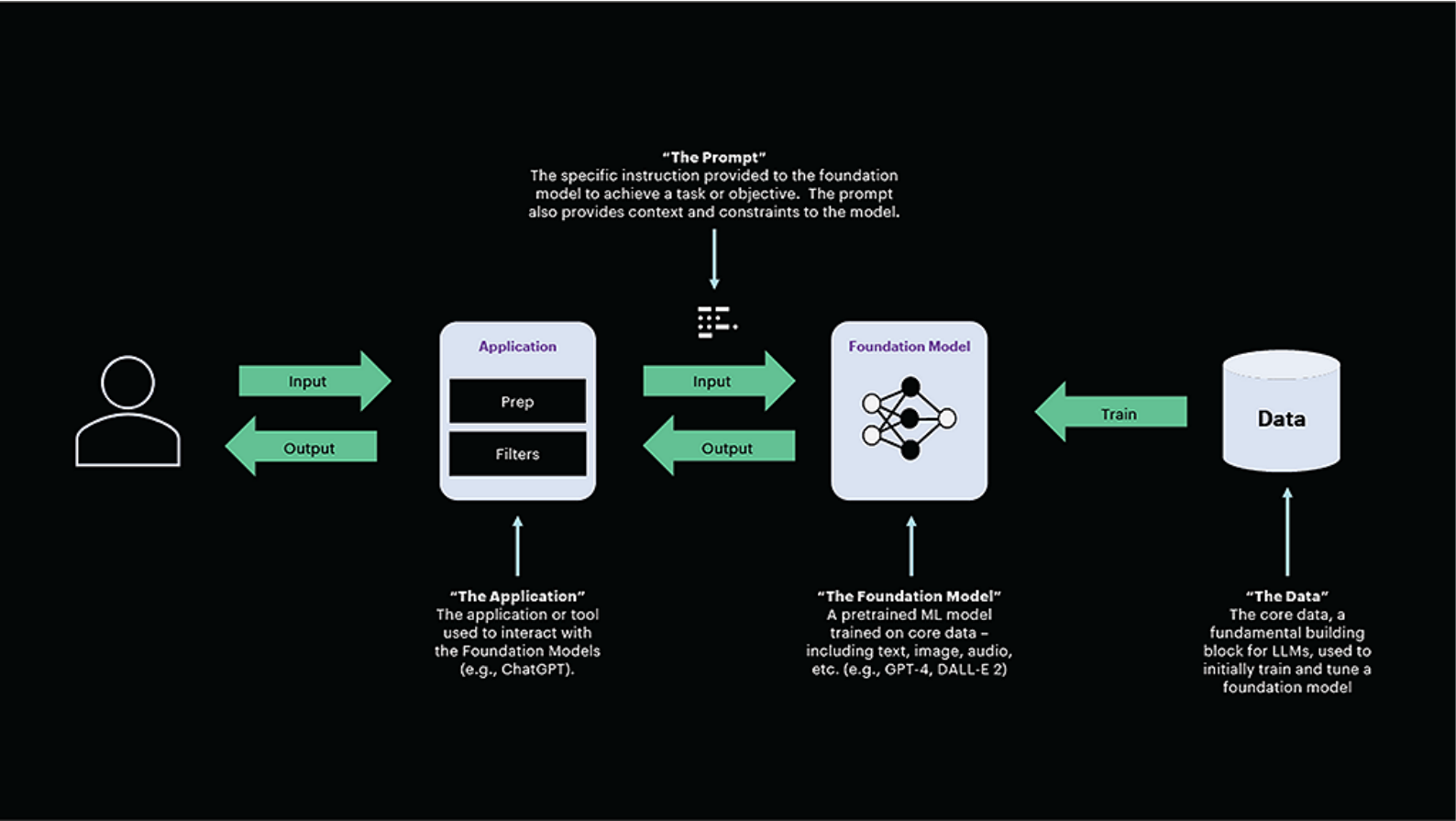
Suggested notes

- ▶ **Serena** wants to look at the sales report before she and **Beth** spend more budget on the campaign. 5:00
- ▶ **Beth** explains that they are on track for new product release in December. But they will need to keep an eye on advertisement budget. She will follow up on that. 5:05
- ▶ **Beth** explains that they are managing the capacity well. They could be a problem if they get more popular. **Babak** is going to double check on that. 5:34

Suggested tasks

- ▶ **Beth** will follow up on advertisement budget.
- ▶ **Jon Shammass** will double check with **Amanda** regarding the ETA for the release of the new product.

Industry Specific Applications



Source: Accenture

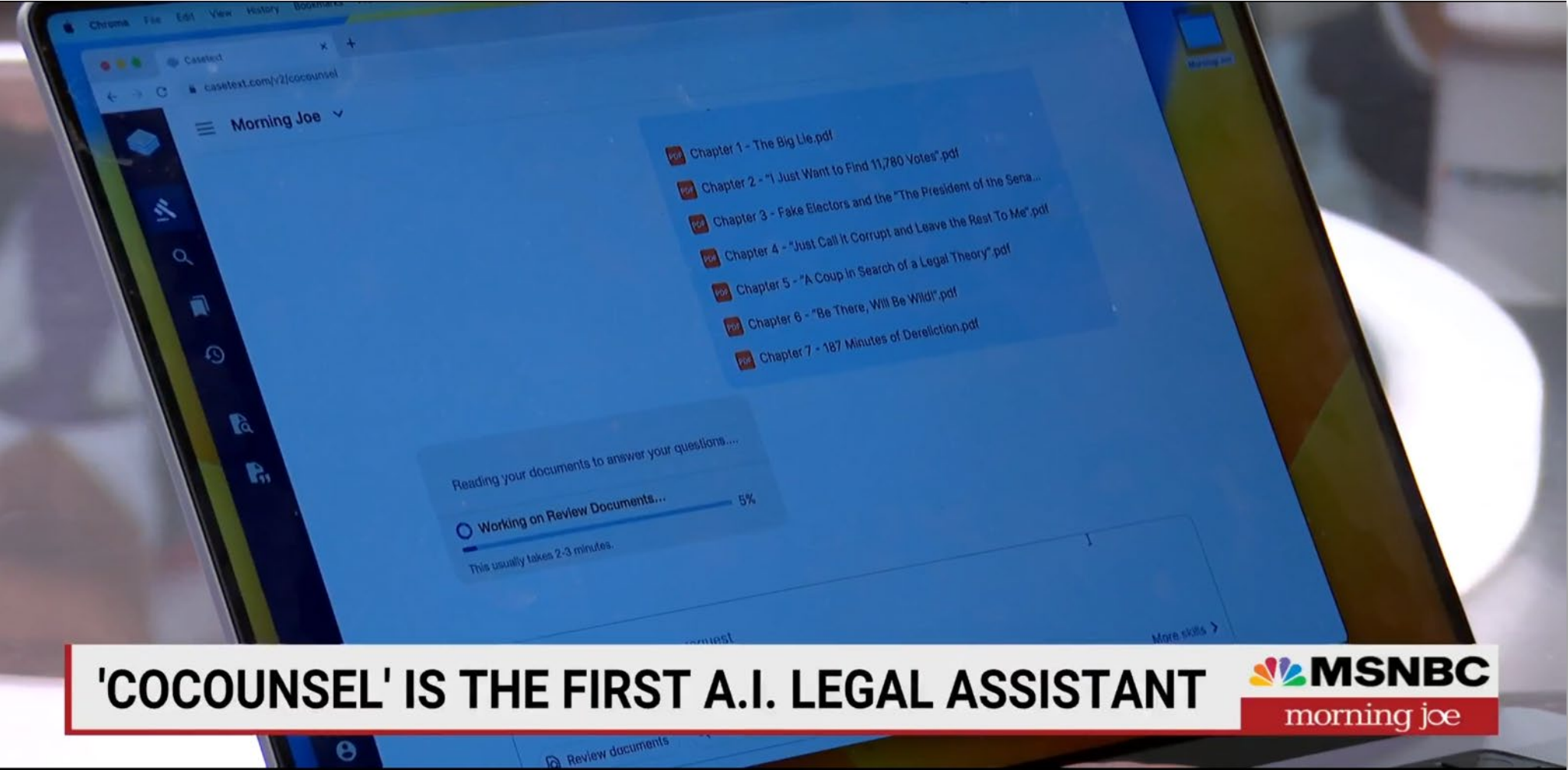
Regular vs. Retrieval-Augmented Generation

Ask an LLM a question → LLM “reasons” to a response from “memory” with training data from the past (e.g. ChatGPT). Essentially generates a sensible response based on what, statistically speaking, best matches its training data (without regard to veracity).

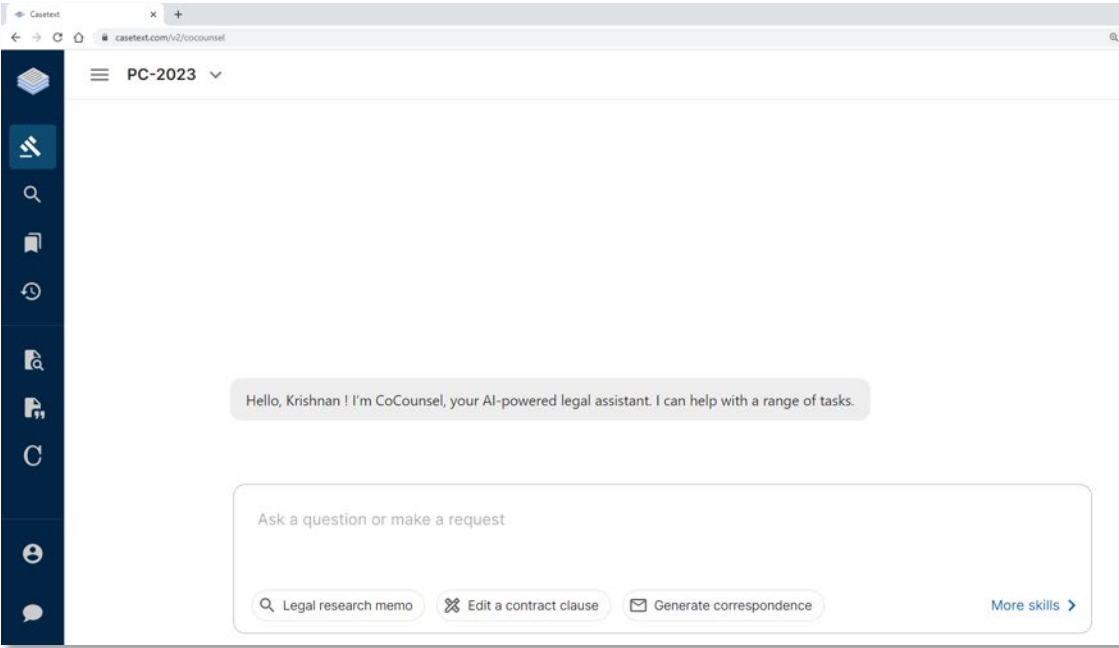


Ask an LLM a question → LLM uses a search engine (Parallel Search, AllSearch) to search a database of real information (casetext.com, Practical Law, your documents) to find relevant results, and then the LLM references these retrieved results to answer the question.

CoCounsel - Legal Research



CoCounsel Skills



CoCounsel Skills

GENERAL

- Search a database
- Summarize language
- Generate correspondence
- Generate a timeline
- Review documents
- Search a database

LITIGATION

- Legal research memo
- Prepare for a deposition
- Draft interrogatories
- Draft requests for admission
- Draft Requests for production
- Brief a case

TRANSACTIONAL

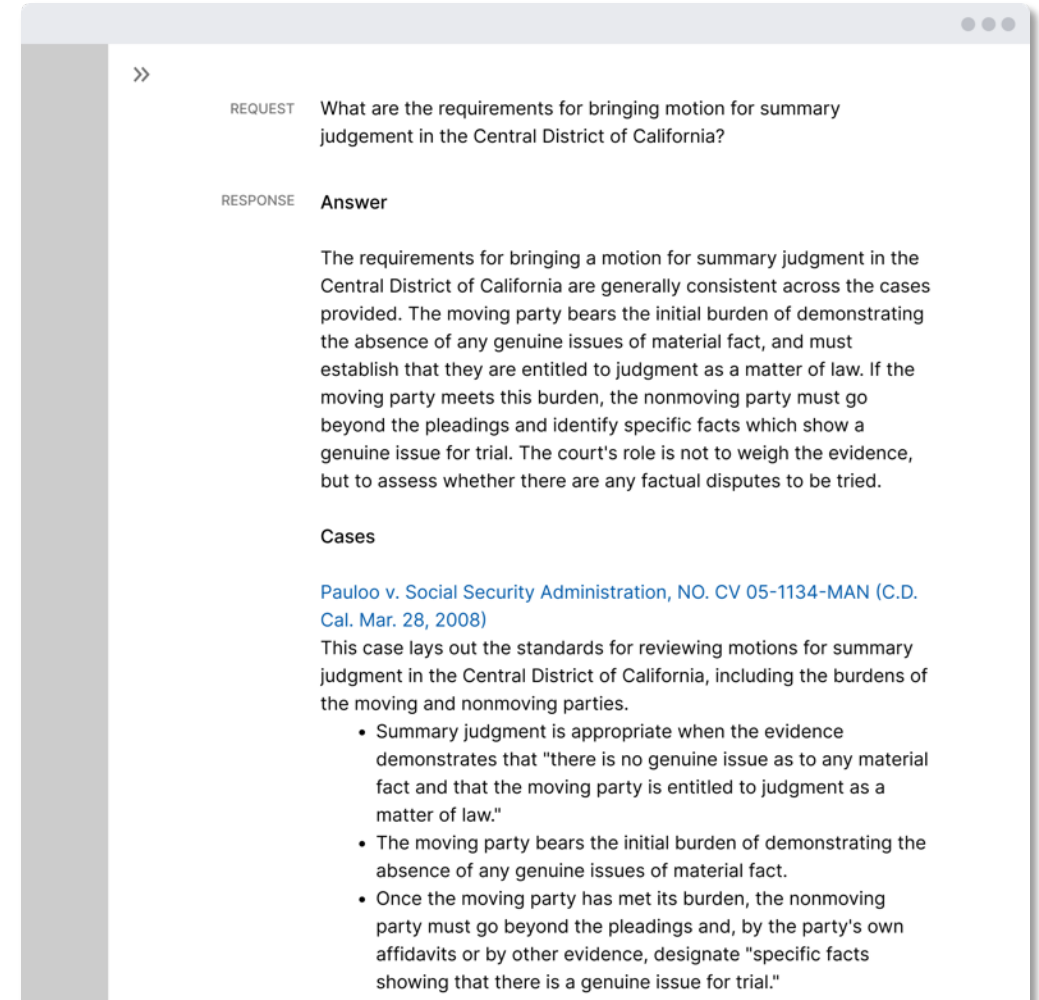
- Edit a contract clause

[Close](#)

CoCounsel -Research Memos

Search and synthesize primary law.

It runs multiple searches simultaneously and then summarizes its findings in a memo, which includes links to the top cases as well as the most relevant quotes.



The screenshot displays a user interface for a research tool. On the left, there is a vertical grey bar with a double right-pointing arrow (») icon. The main content area is white and contains the following text:

REQUEST What are the requirements for bringing motion for summary judgement in the Central District of California?

RESPONSE **Answer**

The requirements for bringing a motion for summary judgment in the Central District of California are generally consistent across the cases provided. The moving party bears the initial burden of demonstrating the absence of any genuine issues of material fact, and must establish that they are entitled to judgment as a matter of law. If the moving party meets this burden, the nonmoving party must go beyond the pleadings and identify specific facts which show a genuine issue for trial. The court's role is not to weigh the evidence, but to assess whether there are any factual disputes to be tried.

Cases

[Pauloo v. Social Security Administration, NO. CV 05-1134-MAN \(C.D. Cal. Mar. 28, 2008\)](#)

This case lays out the standards for reviewing motions for summary judgment in the Central District of California, including the burdens of the moving and nonmoving parties.

- Summary judgment is appropriate when the evidence demonstrates that "there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law."
- The moving party bears the initial burden of demonstrating the absence of any genuine issues of material fact.
- Once the moving party has met its burden, the nonmoving party must go beyond the pleadings and, by the party's own affidavits or by other evidence, designate "specific facts showing that there is a genuine issue for trial."

E-Discovery and LLM AI



Relativity: aiR for Review



Transform Review with Generative AI in  RelativityOne

Responsiveness Review

Predict documents responsive to requests for production or QC results from traditional review

Issues Review

Locate material relating to the different legal issues relevant to case strategy

Key Documents

Find hot documents important to the case or investigation and could be otherwise missed

Supported by document excerpts and clear rationale to validate results, promote trust and ensure understanding

*Limited availability by year-end 2023, with expanded access throughout Q1'24
Expected general availability by end of H1'24*

Relativity: aiR for Review

The screenshot displays the Relativity aiR interface. On the left is a navigation sidebar with icons for Review Queues, Documents, Processing, Review Center, Reviewer Performance, Case Dynamics, Analytics, Production, and Review Library. The main area shows a document review queue for 'BigThorium' with a search bar and a list of documents. A notification at the top indicates that a review is complete for 2,345 documents. The table below lists individual documents with their control numbers, aiR predictions, citations, rationales, and considerations.

#	Control Number	aiR Prediction	aiR Citations	aiR Rationale	aiR Considerations
1	BTDW00000001	Likely Responsive	We have received evidence that implicates you in the theft that occurred on June 2 in our facility. As a result, we are officially terminating your employment with BigThorium, effective immediately.	This email shows that Muhammad Kumar's employment was terminated due to alleged involvement in a theft.	There is no information in the document relating to evidence implicating Muhammad Kumar in the theft.
		Likely Hot Doc	We have received evidence that implicates you in the theft that occurred on June 2 in our facility.	This could be evidence of retaliation if the theft accusation is false and made in response to Muhammad opposing the company's unlawful conduct.	If the theft accusation is true and not related to the company's conduct, then it would not be evidence of retaliation.
2	BTDW00000002	Not Responsive	na	This document does not provide any information about BigThorium enforcing segregated living or working conditions based on race.	It is possible that the environmental impact mitigation strategies could indirectly relate to working conditions, but there is no direct evidence in the document.
		Not Hot Doc	na	This document does not provide any information about BigThorium enforcing segregated living or working conditions based on race.	It is possible that there is some context missing from the document that could reveal luring practices, but there is no direct evidence in the text.
3	BTDW00000003	Not Responsive	How can we ensure that the barracks for the international workers are built at minimal costs?	The document discusses minimizing costs for international workers' barracks, but there is no direct evidence of BigThorium coercing employees into staying by controlling their living conditions and underpayment.	The mention of minimizing costs for international workers' barracks might be indirectly related to working conditions, but there is no evidence of coercion or underpayment.
		Not Hot Doc	na	There is no mention of Muhammad Kumar, Arvind Patel, or any retaliation against employees in the document.	There is no information in the document that could be interpreted as relevant to this issue.
3	BTDW00000003	Likely Responsive	Inform them that due to not meeting construction deadlines on time, they will have to make up for the additional housing cost increase by having their pay docked.	This snippet shows that Indian workers are being treated differently in terms of their pay, as they are being docked for housing costs due to not meeting construction deadlines.	It is possible that this pay docking is a standard practice for all workers who do not meet deadlines, and not specifically targeting Indian workers.
		Likely Hot Doc	Since we separated the Indian workers' housing from the others, I've noticed an increase in agitation among them.	Shows that BigThorium has enforced segregated living conditions based on race, as Indian workers' housing has been separated from the others.	It is possible that the separation of housing by race is indirectly related to working conditions, such as language differences.
3	BTDW00000003	Not Responsive, Junk	You are cordially invited to attend a webinar on Enhancing Productivity, organized by BigThorium in collaboration with XYZ Consultancy.	This document is an invitation to a webinar on productivity and does not provide any evidence of BigThorium luring workers to the project by promoting their ability to get their workers permanent citizenship.	It is possible that the webinar could indirectly relate to worker recruitment, but there is no evidence in the document.
		Not Hot Doc	na	This document does not provide any information about BigThorium enforcing segregated living or working conditions based on race.	It is possible that there is some context missing from the document that could reveal luring practices, but there is no direct evidence in the text.

Merlin: Transcript Summarization

Kushner is asked about his interactions with various individuals, including RNC Chair Ronna McDaniel, regarding the allocation of campaign funds and the creation of the Save America PAC. He is also questioned about his knowledge of discussions surrounding potential violence at the Capitol on January 6th, his communications with President Trump and others on that day, and his efforts to facilitate a meeting between Trump and Vice President Pence after the events at the Capitol.

Throughout the deposition, Kushner frequently states that he does not recall specific details or conversations and emphasizes his focus during the post-election period on Middle East peace efforts, Operation Warp Speed, and the transition to the Biden administration. He denies any knowledge of discussions about pardoning individuals involved in the Capitol attack or the President pardoning himself.

The committee members probe Kushner's involvement in approving budgets for advertising campaigns related to election fraud claims and his reaction to the violence on January 6th. Kushner confirms that he was involved in crafting President Trump's remarks on January 7th, which aimed to condemn the violence, call for peace, and acknowledge the upcoming transition of power.

Kushner's responses often highlight his limited involvement in certain campaign decisions and his lack of recollection regarding specific events or communications. He expresses a desire to conclude the deposition efficiently and within the agreed-upon timeframe.

• Chunk 11: Kushner's Role in Campaign Budgeting

• Chunk 12: Kushner's Campaign Oversight and Meetings with Stepien

• Chunk 13: Election Night Activities and Response to FOX's Arizona Call

• Chunk 14: Kushner's Communication with Rupert Murdoch on Election Night

Jared Kushner discusses his conversations with Rupert Murdoch on election night, explaining the close race in Arizona and the campaign's expectations. Murdoch, after reviewing the data, stands by the decision to call the race. Kushner does not recall advising President Trump on his early morning remarks and is unsure if he initiated the call to Murdoch or if Trump asked him to do so. He also does not remember the President's reaction to the Arizona call and assumes Trump received advice from various experts.

- Kushner explains to Rupert Murdoch that the race in Arizona is very close and that the campaign's data suggests they will win the election day ballots approximately 2 to 1, which could result in a tight race potentially within a 20,000 vote margin either way (p31:116--p31:122)
- Murdoch responds that he will look into the matter and later calls Kushner back, stating that his data team believes the race in Arizona will not be close and they are sticking with the call (p31:123--p32:12)
- The questioner clarifies that Kushner had two conversations with Murdoch, the first to express that it was too early to call and the second where Murdoch confirms the call will stand (p32:13--p32:17)
- Kushner describes the calls with Murdoch as not angry or acrimonious (p32:18--p32:110)
- Kushner does not recall if President Trump asked him to call Murdoch or if he decided to call unilaterally, but he believes it was the latter (p32:111--p32:113)
- Kushner is unaware of any reports that President Trump asked Hope Hicks to call Lachlan Murdoch or whether Hicks spoke to Murdoch (p32:114--p32:118)
- Kushner does not recall the President's reaction to the Arizona call or any conversation with him about it (p32:119--p32:122)
- Kushner does not believe he was involved in crafting the President's early morning remarks on November 4th (p32:123--p33:11)

avascript:void(0) (Kushner assumes the President received advice from many people regarding his remarks as the election results were

1 assure me that head of data basically believes that it's not going to be close in Arizona,

2 and we're sticking with the call, so --

3 Q That sounds like two conversations, the first you say: Hey, it's too early.

4 He says: Let me look into it.

5 He calls you back and says: Our people believe this is the right call?

6 A Yes. They believe it's going to be done -- it's going to be a big, big deficit

7 there.

8 Q Yeah. Was it an angry call or either of them acrimonious or sharp

9 disagreement?

10 A No. We've had a long relationship, and, again, it's, you know -- no.

11 Q Did you make that call, Mr. Kushner, unilaterally, or did the President ask

12 you to call Mr. Murdoch?

13 A I don't recall, but I believe it was unilaterally.

Clearbrief

On January 14, 2014, John Doe, the plaintiff in this case, underwent a left total knee arthroplasty at the Hospital for Special Surgery in New York (Doe Med. at 3). This surgical procedure was performed under the expert guidance of Dr. David Mayman. Doe Med. at 6. However, the relief was short-lived, and on November 14, 2014, John had to undergo a left total knee replacement, once again conducted by Dr. Mayman. Doe Med. at 6.

Following this procedure, complications arose, and on May 20, 2015, John had to undergo a left knee arthroscopy. Doe Med. at 3. This procedure was executed by Dr. Thomas Sculco, who performed a debridement and synovectomy of some exuberant synovial tissue. Doe Med. at 3. Despite these efforts, John's condition did not improve, leading to another revision surgery by Dr. Peter Sculco in May 2015. Doe Med. at 15.

In May 2016, John underwent a second revision of the patellar component. Doe Med. at 15. His worsening condition necessitated a left knee exploration/arthroscopy scheduled for August 12, 2016, by Dr. Vincent K. McInerney. Doe Med. at 6. However, an open patellar revision of the left knee performed on September 10, 2016, did not alleviate John's symptoms. Doe Med. at 6.

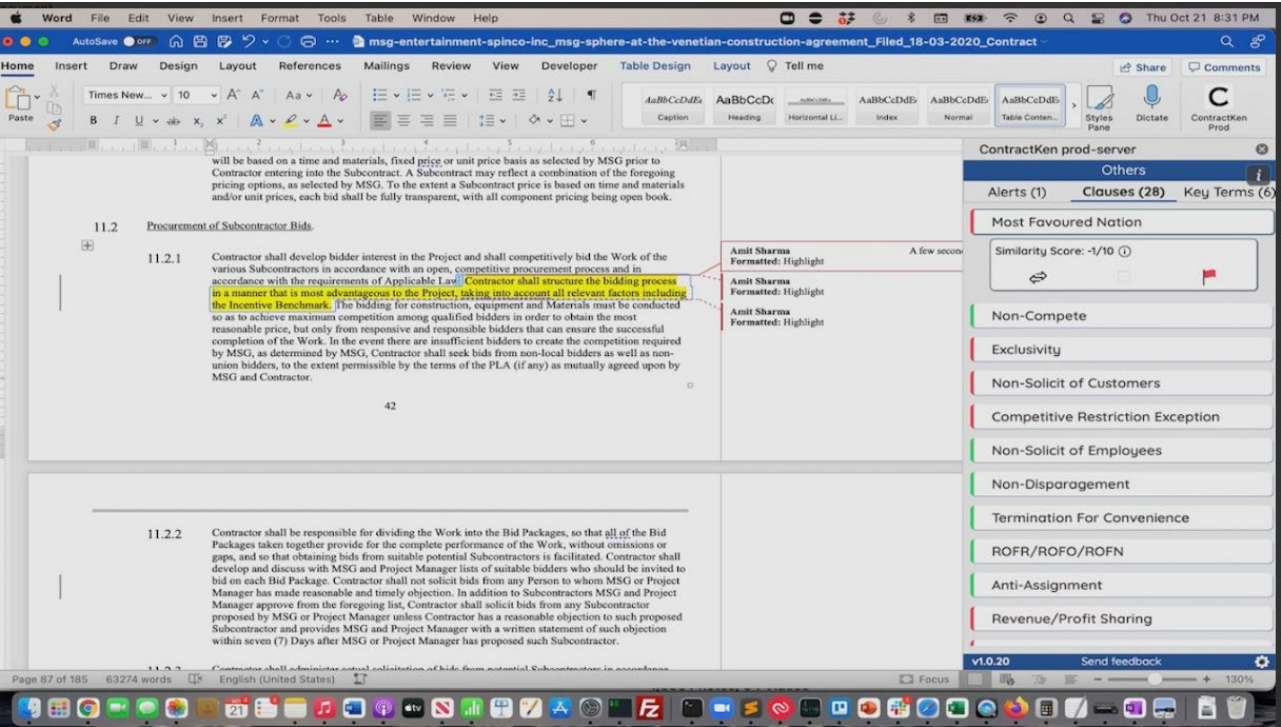
John's health continued to deteriorate, leading to an aspiration in February 2017, which tested positive for Staph epidermidis. Doe Med. at 15. In March 2017, he underwent an isolated debridement of the joint. Doe Med. at 15. Following this, in May 2017, John completed an IV vancomycin treatment in an attempt to combat the infection. Doe Med. at 15.

In June 2017, Dr. Sculco performed surgery to remove the components, debride the joint, and used a combination of hydrogen peroxide and dilute Betadine soaks, and copious irrigation of the joint. Doe Med. at 15. A formal single-stage exchange of the infected components was performed, which included a nearly complete patellectomy, and a rotating hinge device was placed. Doe Med. at 15.

Despite these extensive medical interventions, John's condition did not improve. Doe Med. at 6. On June 5, 2018, the operative notes reflected a failed left revision total knee arthroplasty performed elsewhere with femoral component loosening. Doe Med. at 17. On this same day, John was discharged from Hackensack Meridian Health Nursing & Rehabilitation. Doe Med. at 19.

Contract Management, Review, Drafting

Kira	Noetica	ThoughtRiver	ContractKen	FirstRead	DraftWise	Spellbook
Contract/Agreement entity extraction tool primarily used for M&A due diligence. Prior to use in a given instance, requires configuration of "worksheets" consisting of specific "smart clauses" the tool will look for.	Benchmark corporate debt transactions and determine if capital markets deal terms are on or off market	Evaluation of individual contract/agreement documents against a pre-defined playbook. Contains a curated set of clauses compiled by ThoughtRiver which can be used within playbooks.	AI-based contract review and drafting. Creates several types of summaries, compares against playbooks and industry standards, provides clause libraries, etc.	AI-based contract drafting and negotiation. View a redline to identify where terms deviate from a standard or are missing and complete proofreading tasks.	AI-based contract drafting and negotiation. Review against internal documents and EDGAR documents.	AI-based contract drafting and negotiation. Ask questions about a document, view suggested revisions and negotiation points, create a playbook, and draft from precedent.



Adoption Best Practices

Best Practices Around Adoption

- Fundamental Issues
 - Culture of innovation?
 - Degree of risk you are willing to accept?
 - Size of human and capital investment?
 - Do you have the right people?
- Governance
 - Form a cross-practice strategy committee
 - Consider whether you need a consultant
 - Clearinghouse for everything Generative AI
 - Create an overall strategy for Generative AI
 - Short term
 - Long term

Best Practices Around Adoption

- Policy
 - Applies to all attorneys and staff
 - Identifies permissible tools and uses
 - Identifies prohibited tools and uses (e.g., all unapproved Generative AI tools)
 - Protection of client confidential information and privileges
 - Use consistent with client directions
- Requires Attorneys To:
 - Exercise independent judgment
 - Validate of all work product
 - Comply with judicial and regulatory disclosures

Best Practices Around Adoption

- Issues
 - Degree of transparency, notice, consent
 - Engagement letters
 - Client guidelines
 - Fees & costs
- Vetting Tools
 - Understanding the use case
 - Maturity level
 - Security
 - Piloting
 - Risk analysis (what is the risk? Are there guardrails built in?)
 - Pricing

Best Practices Around Adoption

- Education & Training
 - Policy training
 - Tool specific training
 - Educational rescues



Thank You

John Rosenthal

Winston & Strawn LLP

jrosenthal@winston.com