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Just how “ephemeral” are so-called ephemeral messages? In this [article](#), former United States magistrate judge Ronald J. Hedges and Gail Gottehrer explore issues surrounding the potential for spoliation sanctions under Fed. R. Civ. P. 37 (e) for loss of ephemeral messages and lay the foundation for why eDiscovery and information governance best practices need to be extended to address this popular method of communication.

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Gail Gottehrer is the Founder of the Law Office of Gail Gottehrer LLC. Her practice focuses on emerging technologies, including autonomous vehicles, connected vehicles, AI, the Internet of Things, robots, biometrics and facial recognition technology, and the privacy laws, cybersecurity requirements and ethical issues associated with the data these technologies collect and use. She is one of the few defense lawyers to have been involved in the trial of a class action to verdict before a jury.

Gail was selected as one the Profiles in Diversity Journal’s 2017 Women Worth Watching in STEM and one of the Connecticut Technology Council’s 2016 Women of Innovation. She is a graduate of the University of Pennsylvania Law School.

### **Ronald J. Hedges**

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Ronald J. Hedges, J.D., is a Senior Counsel with Dentons US LLP. He served as a

United States Magistrate Judge in the District of New Jersey from 1986 to 2017. Mr. Hedges is a frequent writer and speaker on various topics related to electronic information and is the principal author of *Managing Discovery of Electronic Information: A Pocket Guide for Judges, Third Edition* (Federal Judicial Center: 2017). His full biography is available at <https://www.dentons.com/en/ronald-hedges>.

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- [Ronald J Hedges](#)

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### About the Author

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