

David Kalat

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EDUCATION

M.L.I.S. University of Illinois at Urbana-Champaign, 2011
B.A. University of Michigan, 1992, *James B. Angell Scholar*

EMPLOYMENT

Director, Berkeley Research Group (BRG), 2015–present
Director, Disputes and Investigations, Duff & Phelps, 2011-2015

Mr. Kalat is testifying expert in electronic evidence and digital forensic investigations. He leads the Chicago digital forensics lab for BRG's Global Investigations and Strategic Intelligence practice group. Prior to joining BRG, Mr. Kalat was with Duff & Phelps' Disputes and Investigations practice, where he managed an international team of forensic examiners and eDiscovery support specialists. Mr. Kalat has over 20 years of experience in digital video, and has applied this knowledge to the forensic examination of video evidence in a variety of contexts including investigations into alleged police misconduct.

PROFESSIONAL CERTIFICATIONS AND AFFILIATIONS

Licensed Private Detective (License No. 115.002487), State of Illinois
Licensed Private Detective (License No. 52430601), State of Texas
Certified Fraud Examiner (CFE), Association of Certified Fraud Examiners (License No. 621469)
Certified Computer Examiner (CCE), International Society of Forensic Computer Examiners (ISFCE) (License No. 1666)
Certified Information Systems Security Professional (CISSP), International Information System Security Certification Consortium (ISC)2 (License No. 593527)
Access Data Certified Examiner (ACE)
Member, Association of Certified Fraud Examiners Greater Chicago Chapter
Member, ECube (formerly the Chicago Association of Litigation Support Managers)
Member, Sedona Conference
Working Group 1 (Electronic Document Retention & Production) Member, Brainstorming Group –
Electronic Discovery Best Practices for Small Cases; and
Working Group 12 (Trade Secrets) - Member

TESTIMONIAL EXPERIENCE

Gonzalez v. TCR Sports Broadcasting Holding, LLP, No. 1:18cv20048 (S.D. Fla.)
Revitch v. Citibank, No. 3:17cv06907 (N.D. Calif., 2017)
Flowers v. Twilio, Inc., No: RG16804363 (Sup. Ct. Cal.)
Berman v. Freedom Financial Network, LLC, No. 4:18cv01060 (N.D. Calif., 2018)
Marcheco v. Jo-Ann Stores, LLC, 1:18cv20564 (S.D. Fla., 2018)
Kolodziej v. Justice Park District, et al., 2014 L 775 (Cook Cnty. Cir. Ct., 2014)
Indeck Energy Services v. DePodesta, et al., 14 CH 602 (Lake Cnty. Cir. Ct., 2014)
Braver et al. v. NorthStar Alarm Services, LLC, 5:17cv00383 (W.D. Okla., 2017)
C.J. Drilling, Inc. v. Welsh, No. 17 CH 001095 (Kane Cnty. Cir. Ct., 2017)
Western Union v. Kula, 1:17cv00280 (N.D. Ill., 2017)
Segerdahl Corp. v. Ferruzza, et al., 1:17cv03015 (E.D. Ill., 2017)
L&W Supply Corp. v. Banks et al., CV16-00816 (Washoe Cnty. Dist. Ct., 2016)
Bunnet & Co., Inc. and Energy Feeds International, LLC v. Dores, 1:15cv1104 (W.D. Texas, 2016); also In Re: Frank Miranda Dores and Mary Anne Souza Dores, No. 16-10169-B-13 (Bankr. E.D. Calif.)
Pro Sapiens LLC v. Indeck Power Equipment Co., 14L5730 (Cook Cnty. Cir. Ct., 2015)
Geophysical Service Inc. v. Anadarko Petroleum Corp. et al., 1201-15228 (Ct. of Queen's Bench of Alberta, 2014)

BOOKS AND MONOGRAPHS

Day One: The Origin Story of Computer Forensics, [1] Pratt's Privacy & Cybersecurity Law Report [4] (LexisNexis A.S. Pratt).
The Trouble With Mobile Forensics, ThinkBRGTech.com (October 15, 2015)
Anti-Forensics Gets An Upgrade: The Hidden Traps In Today's Latest Technology, ThinkBRGTech.com (June 27, 2016)
Dyn and Dash, SC Media (December 19, 2016)
Understanding the Challenges of Strong Encryption, Law360 (April 10 & 11, 2017)
Outrunning the Lion: Advice for Fighting on the Front Lines of Today's Data Breach Attacks, (Legal Tech News, December 20, 2017)
Fighting on Today's Front Lines, (InfoSecurity Magazine, Jan. 3, 2018)
Nervous System: The Story of the First White Hat Hacker (Legal Tech News, February 5, 2018)
Nervous System: Evaluating TCPA Liability in the Actual Wild West (Legal Tech News, March 1, 2018)
Confronting BIPA Liability in the Blink of an Eye (ThinkBRG Global I Blog, March 8, 2018)
Nervous System: The Boy Who Could Talk to Computers (Legal Tech News, April 5, 2018)
Nervous System: Just the Fax, Ma'am (Legal Tech News, May 3, 2018)
Nervous System: The Small Start of Big Data (Legal Tech News, June 4, 2018)
Nervous System: The AIDS Trojan Makes You WannaCry (Legal Tech News, July 9, 2018)
Nervous System: The Glamour Girl's Secret Privacy Weapon (Legal Tech News, August 6, 2018)
Nervous System: The Tech Revolution is Earlier Than You Think (Legal Tech News, September 4, 2018)
How to Recognize Different Types of Dialers From Quite a Long Way Away (The Consumer Finance Law Quarterly Report, Volume 72, No. 2 (2018))
Nervous System: What Hollywood Has Taught the U.S. Government About Cybersecurity (Legal Tech News, October 12, 2018)
Nervous System: Taking Biometrics at Face Value (Legal Tech News, November 2, 2018)
Nervous System: The Computer That Taught HAL to Sing (Legal Tech News, December 3, 2018)
Nervous System: The Day Grace Hopper Literally Debugged a Program (Legal Tech News, January 7, 2019)
Nervous System: The Dawn of Spam (Legal Tech News, February 4, 2019)

CLE and OTHER LECTURE PRESENTATIONS

Did the FCC's New Order Get the Wrong Number Problem Right? (CLE, February 7, 2019)

How to Win Cases Using Digital Forensics and E-Discovery (CLE, October 24, 2018)

TCPA Class Actions - The Conference on Consumer Finance Law (Panelist, May 31, 2018)

The DC Circuit Finally Phones In--A Complete Guide to its decision in ACC International v. Federal

Communications Commission and what it means for your TCPA case and your business (Webinar, Apr. 5, 2018)

The Art of Settling TCPA Lawsuits (CLE, Feb. 7, 2018)

2017 Lessons Learned - Data Breaches, and Preventing Access Failure Attack (Presenter on *Infosecurity Magazine's* Webinar, Dec. 21, 2017)

Cybersecurity Track - P&I DC West Conference (Panelist, Oct. 9, 2017)

Is the Party Over for Professional TCPA Plaintiffs? Challenging the Adequacy & Typicality of Class Representatives (CLE, Oct. 3, 2017)

National Business Institute – *How to Get Your Social Media, Email and Text Evidence Admitted (and Keep Theirs Out)* (CLE, June 28, 2017)

Worldwide Employee Benefits Network Chicago - *What Employee Benefit Plan Professionals Need to Know about Cybersecurity* (May 24, 2017)

Digital Forensics is Dead, Long Live Digital Forensics - ACFE Chicago (CLE, October 23, 2015)

How to Realize ROI from your Preservation Efforts (CLE, October 22, 2015; July 23, 2015)

E-Discovery – Issues and Developments (CLE, June 24, 2014)

Find It Fast and Free on the Net: Strategies for Legal Research on the Web - National Business Institute (CLE, June 25, 2015; April 10, 2014; June 6, 2013; May 23, 2012)