

Clark C. Walton

5950 Fairview Road, Charlotte, NC 28210

Phone: (980) 335-0710 E-mail: clark@relianceforensics.com

Experience

Reliance Forensics, LLC, Charlotte, NC

Managing Director, November 2013 to present.

- Engaged in expert and consultant capacities to perform digital forensic collection, analysis and reporting on evidence in a variety of contexts, including business and employee disputes, intellectual property matters, domestic matters, criminal investigations, and internal corporate investigations.

Live sworn testimony:

- *State of North Carolina v. Ordway*, Meck. Co., NC District Court 4130, Aug 24, 2015. Qualified as mobile device forensic expert.
- *Charles Dyer v. Raymond James et al*, FINRA Panel, Case No. 14002268, Dec. 14, 2015. Qualified as computer forensic expert.
- *State of North Carolina v. Charles Saine*, Meck. Co. NC Superior Court, Criminal Division, 14 CRS 202428-29, 456, 458-62, March 1, 2016. Qualified as mobile device forensic expert.
- *Judith G. Smith v. David M. Smith*, Meck. Co., NC District Court, 15-CVD-21964, July 6, 2016 (Sanctions), and August 15, 2016 (Atty. Fees). Qualified as digital forensic expert.
- [*Matter Under Seal*], U.S. District Court for the Western District of North Carolina, before Judge Graham Mullen, May and June 2017. Qualified as digital forensic expert in source code copyright infringement matter.
- *Legacy Data Access, LLC v. MediQuant, Inc.*, U.S. District Court for the Western District of North Carolina, deposition taken June 30, 2017. Trial concluded July 27, 2017 before Judge Frank Whitney. Qualified as digital forensic expert in trade secret theft and spoliation matter.
- *Long Bros. of Summerfield, Inc. v. Hilco Transport, Inc.*, Forsyth Co. NC Superior Court, 15 CVS 7727, August 30-31, 2017. Qualified as digital forensic expert.
- *Computer Design and Integration, LLC and CDI Southeast, LLC v. David Brown, Marcus Jacoby and Rove, LLC*, Meck Co., NC Superior Court, Civil Division, 16-CVS-11847. Deposition taken October 11, 2017. Computer forensic matter.
- *Jazz Dasean Samuel v. Amanda Janet Graham*, Meck. Co., NC District Court, 18-CVD-2938, 18-CVD-2966, April 12, 2018. Qualified as digital forensic expert.
- *Nicole Biffle and Sara Lunders v. Gregory J. Biffle*, Meck. Co., NC Superior Court, Civil Division, 17-CVS-12215. Deposed and testified in jury trial, August 2018. Qualified as digital forensic expert.
- *Wellin v. Wellin, et al*, U.S. District Court for the District of South Carolina, Civil Actions 2:13-cv-01831-DCN, 2:13-cv-03595-DCN, 2:14-cv-04067-DCN. Deposition taken August 17, 2018. Mobile device forensic matter.
- *SSG Baltimore LLC et al v. Emil Gerardi, Noble8, LLC and Annie Payne*, American Arbitration Association Case No. 1-18-0000-8097, Baltimore, Maryland, September 11, 2018 (testimony via video conference). Qualified as digital forensic expert.
- *State of North Carolina v. Kevin Olsen*, Meck. Co. NC Superior Court, Criminal Division, 17 CRS 206644-48, September 27, 2018. Qualified as digital forensic expert.
- *Dephinitive Systems, LLC v. Glenn Bouch*, American Arbitration Association Case No. 01-16-0004-0983, Charlotte, NC, December 12, 2018. Fact witness regarding examination of digital evidence.
- *3D Systems Corp. v. Paul A. Miller, UnionTech, Inc., and RP Sales America, Inc.*, U.S. District Court for the Southern District of Indiana, Civil Action 1:17-cv-3252-RLY-MJD. Deposition taken December 13, 2018. Designated as digital forensic and cyber security expert.
- *Calvin Norton v. Jeffrey Rosier*, U.S. District Court for the Eastern District of North Carolina, Civil Action 7:14-CV-260-FL. Trial testimony February 13, 2019. Testified to mobile device evidence.

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- *Estate of Scheer v. Nirlep A. Patel, M.D., et al*, SC Court of Common Pleas, Fifteenth Judicial Circuit, Civil Action No. 2017-CP-26-1571. Deposition taken April 9, 2019. Designated as mobile device forensic expert.
- *Luan Parker v. John G. Parker*, Meck. Co., NC District Court, 16-CVD-14194. Testified November 13, 2017 (motion to compel), April 24, 2019 (sanctions hearing) and August 20, 2019 (trial). Qualified as mobile device forensic expert.
- *LaSalle v. Monro Muffler Brake, Inc., and SC Dept. of Transportation*, SC Court of Common Pleas, County of Berkeley, Civil Action No. CP-08-3046. Deposition taken October 2, 2019. Trial testimony October 16, 2019. Qualified as mobile device forensic expert.
- *DiPrima v. Vann*, Union Co., NC District Court (Civil), 19 CVD 3342. Hearing testimony January 31, 2020. Qualified as digital forensic expert.
- *Nephron Pharmaceuticals Corp. v. Jennifer Shelly Hulsey et al*, U.S. District Court for the Middle District of Florida, Civil Action 6:18-cv-01573-GAP-KRS. Deposition as 30(b)(6) witness for Plaintiff Nephron Pharmaceuticals as to digital evidence taken on February 28, 2020.
- *Estate of Newcombe v. Cumberland County Hospital System, Inc. and Abhik K. Biswas, M.D.*, Cumberland Co., NC Superior Court (Civil), 19 CVS 7894. Deposition taken Oct. 6, 2020. Designated as mobile device forensic expert.
- *John Barnes, et al v. The Building Center, et al*, Meck. Co. NC Superior Court, Civil Division, 19-CVS-13562. Deposition taken January 14, 2021. Designated as digital forensic expert.
- *Lauro Dominici v. Biesse America, Inc.*, Civil Arbitration before Raymond Owens in Mecklenburg County, NC. Sworn testimony in arbitration on April 21, 2021. Qualified as digital forensic expert.
- *Amy Delene Kean v. Warren Kean*, Iredell Co. NC District Court, Civil Division, 18-CVD-2233. Hearing testimony separately on June 9 and June 11, 2021. Qualified as digital forensic expert.

Alexander Ricks PLLC, Charlotte, NC

Counsel, October 2012 to February 2019.

- Managed digital evidence in respect of complex commercial litigation; researched laws. Analyzed evidence and interviewed witnesses in forensics-related matters; commercial litigation.

North Carolina Department of Justice, Attorney General's Office, Charlotte, NC

Senior Civil Enforcement Attorney/Assistant Attorney General, March 2011 to October 2012.

- Special Assistant U.S. Attorney (SAUSA) in W.D.N.C. National Advocacy Center training in deposing, examining and cross-examining expert witnesses.

State of North Carolina, 26th Prosecutorial District, Charlotte, NC

Assistant District Attorney, May 2009 to March 2011.

- Over 150 bench trials, 4 jury trials. Interviewed over 1,000 witnesses as a prosecutor and worked closely with law enforcement. Member, US Secret Service Electronic Crimes Task Force.

Mayer Brown LLP, Charlotte, NC

Associate Attorney, July 2006 to May 2009.

Nelson, Mullins, Riley and Scarborough, LLP, Charlotte, NC

Associate Attorney, September 2005 to July 2006.

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Central Intelligence Agency, McLean, Virginia

Project Manager and Intelligence Analyst, Information Operations Center, August 2000 to March 2005.

- Cyber threat subject matter expert. Experience in malicious code analysis and reverse engineering.
- Graduate of 6-month “CAP” career intelligence analysis course.
- Approximately 90 hours of formal telecommunications training and coursework.

The White House, Washington, DC

Vice President’s Homeland Security Staff, Intern, September to December 2003.

Federal Bureau of Investigation, Washington, DC

Honors Intern, Criminal Investigative Division, June to August 1999.

Education

Georgetown University Law Center, Washington, DC

Juris Doctor, May 2005. Dean’s List.

University of North Carolina, Chapel Hill, NC

B.S., Mathematical Science (Computer Science Option), December 1999. Dean’s List.

Teaching Experience

National Computer Forensics Institute, Hoover, AL

Instructor (contracted), Computer Forensics for Judges, April 2016 to present (2-3 courses per year).

- Includes training on computer forensics, mobile forensics, cellular technology and cyber security. Presented legal coursework to Advanced Mobile Examiner class, June 2017.

Charlotte School of Law, Charlotte, NC

Adjunct Associate Professor, Cyber Crime, January 2012 to December 2015. Evidence, Fall 2012.

Champlain College, Burlington, VT

Online Adjunct Instructor, Computer Forensics and Digital Investigations, August 2014 to February 2015.

University of North Carolina at Charlotte, Charlotte, NC

Associate Graduate Faculty (Adjunct Thesis Adviser), 2013 to 2016.

- Graduate thesis panelist for Austin P. Acheson, “*Frisking the Smartphone: A Law Enforcement Guide for Warrantless Post-Detention Smartphone Searches*”, defended and approved August 2013.

Central Piedmont Community College, Charlotte, NC

Paralegal Program Instructor, Civil Litigation, January 2010 to December 2011.

Professional Licenses/Training and Honors

EnCase® Certified Examiner (EnCE®), License 15-1114-6471.

Cellebrite Certified Mobile Examiner (CCME, capstone certification).

Cellebrite Advanced Smartphone Analysis (CASA).

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Cellebrite (formerly BlackBag) Advanced Apple Forensics (CAAF).

Cellebrite Certified Physical Analyst.

Cellebrite Certified Logical Operator.

Admitted to the North Carolina State Bar, 2005 (current and in good standing).

- **Board Certified Specialist in Privacy and Information Security Law**, December 2020.

Certified Information Privacy Professional/United States (CIPP/US, October 2020).

Private Investigator, State of South Carolina, License PDC 3131.

North Carolina Super Lawyers Rising Star, Business Litigation, 2014-2018.

ABA National Outstanding Young Lawyer, 2012-13.

North Carolina Bar Association Pro Bono Younger Lawyer of the Year, 2009-2010.

Mayer Brown LLP Transactional Pro Bono Matter of the Year, 2008.

Mecklenburg County Bar Young Lawyer of the Year, 2008-09.

Central Intelligence Agency Exceptional Performance Award, 2001.

Professional Organizations

North Carolina State Bar Privacy and Data Security Specialization Committee,

- Advisory Board Member, 2017-present.

International Association of Privacy Professionals (2020-present).

American Bar Association, 2003 to present.

- **Advisory Committee on Law and National Security**, 2011 to 2014.

- House of Delegates Technology Committee, 2004-2005.

- House of Delegates, 2003-2005 and 2014-2018.

North Carolina Bar Association, 2006 to present.

- Young Lawyers Division Chair, 2013-2014.

- Technology Committee, 2016-2017.

Mecklenburg County Bar Board of Directors, Charlotte, NC, 2011 to 2014.

Mecklenburg County Bar Delegate to ABA House of Delegates, 2014 to 2019.

Lectures and Publications

Co-author, "The Impact of Technology on National Security Law", a chapter in *National Security Law: Fifty Years of Transformation from the Past to the Future*, ABA Publishing, November 2012.

Presenter, "The Download on the Federal Computer Fraud and Abuse Act", NC Bar Association CLE, Cary, NC, June 2013.

Contributing author, *The ABA Cybersecurity Handbook*, Chapter 4(III), "Considerations for the Government Lawyer", ABA Publishing, July 2013.

Panelist, "Cyber Surveillance", Charlotte Talks, 90.7 WFAE, National Public Radio, Charlotte, NC, September 16, 2013.

Panelist, "The Tension between National Security and Personal Privacy", UNC-Charlotte Constitution Day, Charlotte, NC, September 17, 2013.

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Co-presenter, “Legal Authority for Government Surveillance”, CLE for the Mecklenburg County, NC Bar, Charles R. Jonas Federal Courthouse, Charlotte, NC, October 8, 2013.

Presenter, “Digital Forensics in Litigation”, NC CLE, Bobbitt Chapter, Inns of Court, Charlotte, NC, January 22, 2014, and again for the Triangle eDiscovery Group, Raleigh, NC, February 25, 2014.

Author, “Mobile Device Forensics: Pulling Back the Digital Curtain”, The True Bill, Newsletter of the NC Bar Association Criminal Justice Section, May 2014, available at <http://criminaljustice.ncbar.org/newsletters/the-true-bill-may-2014/mobile-device-forensics-pulling-backthe-digital-curtain>.

Presenter, “Computer and Mobile Device Forensics in Litigation”, NC Bar Association CLE, Wilmington, NC, June 20, 2014.

Panelist, “Careful Where You Click: Avoiding Scams and Staying Safe Online”, Annual Meeting of the NC Bar Association, Wilmington, NC, June 21, 2014.

Author, “Digital Forensics: In 1,000 Words or Less”, Mecklenburg Bar News, newsletter of the Mecklenburg County, NC Bar, p. 4, August 2014, available at http://www.meckbar.org/docs/Newsletter/Aug.2014/August2014_index.html.

Presenter, “Digital Forensics: The Evidence Left Behind”, Charlotte Regional Technology Executives Council (CRTEC), Charlotte, NC, September 9, 2014.

Presenter, “Digital Forensics for Lawyers: What’s in your E-Wallet?”, NC Bar Association webinar, Section of Law and Practice Management, September 18, 2014.

Panelist, “Mobile Device Security”, NC Technology Association (NCTA) Joint Meeting, Research Triangle Park, NC, September 23, 2014.

Presenter, “Mobile Device Forensics”, Information Systems Security Association (ISSA), Raleigh Chapter, November 6, 2014.

Panelist, “High Tech Ethics”, NC Bar Association CLE, Cary, NC, February 20, 2015.

Presenter, “Mobile Device Forensics in Litigation”, NC Bar Association CLE, Cary, NC, February 27, 2015.

Presenter, “New Frontiers: Emerging Issues in Estate Planning”, Presentation on digital forensics and assets, NC Bar Association CLE, Cary, NC, April 28, 2015.

Keynote Speaker, “Digital Forensics: The Evidence Left Behind”, International Function Point Users Group (IFPUG) Annual Conference, Charlotte, NC, April 30, 2015.

Presenter, “Digital Forensics in Litigation”, Mecklenburg County Bar CLE, Charlotte, NC, May 14, 2015.

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Panelist, “Trends in Mobile Forensics: Midyear Review”, Mobile Forensics World, Myrtle Beach, SC, June 2, 2015.

Presenter, “Search and Seizure of Digital Evidence: Updates on the Legal Framework”, Mobile Forensics World, Myrtle Beach, SC, June 2, 2015.

Contract Trainer, Advanced Mission Systems. Authored and taught full day tactical forensics course to U.S. military operators. Camp Dawson, West Virginia, August 14, 2015.

Presenter, “Digital Forensics: Hot Topics in Labor/Employment Law”, NC/SC Labor/Employment Law Annual Conference hosted by the South Carolina Bar, Wild Dunes Resort, Isle of Palms, SC, October 23, 2015.

Speaker/Presenter, “Digital Forensics in Litigation”, Women in eDiscovery luncheon, Raleigh, NC, October 27, 2015.

Panelist, “Unlocking the Mysteries of Cyber Liability”, Lawyers Mutual Insurance, Charlotte, NC and Greensboro, NC (five panels over two days), November 3-4, 2015.

Speaker/Presenter, “Digital Forensics in Litigation”, Metrolina Paralegals Association CLE, Charlotte, NC, February 25, 2016.

Speaker, “Cyber Threats for Business Professionals”, Queens University Executive MBA Program, Charlotte, NC, April 8, 2016.

Contract Trainer, Cellebrite, Inc., “Introduction to Mobile Device Forensics for Prosecutors/Government Attorneys”, hosted by U.S.S.S. Electronic Crimes Task Force (ECTF), Pinellas County Sheriff’s Office, Tampa, FL, April 21-22, 2016.

Speaker/Presenter, “Digital Forensics in Litigation”, NC Bar Association Paralegal Division Annual Meeting, Greensboro, NC, May 6, 2016.

Presenter, “Into the Breach: Legal and Other Obligations in Responding to a Data Compromise”, Mobile Forensics World, Myrtle Beach, SC, June 8, 2016.

Presenter, “Into the Breach: Legal and Other Obligations in Responding to a Data Compromise”, Information Systems Security Association (ISSA), Raleigh Chapter, July 7, 2016.

Panelist, “Using Technology Responsibly: An Interactive Discussion”, North Carolina Bar Association Professionalism Committee CLE, Cary, NC, December 9, 2016.

Panelist, “Cyber Safeguards and Procedures”, Lawyers Mutual Insurance of North Carolina CLE, Concord, NC, November 17, 2016, Cary, NC (two presentations), January 13, 2017, and Wrightsville Beach, NC, February 10, 2017.

Presenter, “Preparing to Testify to Digital Evidence in Court”, Techno Security Conference, Myrtle Beach, SC, June 5, 2017.

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Contract Trainer, Cellebrite, Inc., “Digital Forensics for Legal Professionals”, hosted by Minnesota Bureau of Criminal Apprehension, St. Paul, MN, June 21-22, 2017.

Panelist, “Ensuring the Admissibility of Cloud Evidence”, Techno Security Conference, Myrtle Beach, SC, June 4, 2018.

Panelist, “Data in Business Litigation”, presented at Parker, Poe Adams & Bernstein, Charlotte, NC office on February 21, 2019. Presented again to the Bobbitt Chapter of the Inns of Court, Charlotte, NC, on March 13, 2019. NC State Bar “technology” CLE credit.

Lecture, “Take Control of Your Digital Footprint”, Center for Professional and Applied Ethics of the University of North Carolina Charlotte, April 17, 2019.

Presenter, “Digital Forensics: The Examiner’s ‘Top 10’ for Family Law Attorneys”, NC Bar Association Family Law Section Annual Meeting CLE, Asheville, NC, May 3, 2019.

Presenter, “Basics of Forensically Sound Digital Investigations”, Charlotte Chapter of the Association of Certified Fraud Examiners, Continuing Professional Education, Charlotte, NC, May 8, 2019.

Presenter (Cellebrite Contract Trainer), “Corporate Digital Forensic Investigations: From Acquisition to Testimony”, Techno Security Conference, Myrtle Beach, SC, June 3, 2019.

Presenter, “Data Security and Collections: Forensics, Privacy Considerations and Liability Issues”, NC Bar-approved CLE for clients of Ford Harrison LLP, Charlotte, NC, December 6, 2019.

Panelist, “Digital Privacy Round Table”, Business North Carolina virtual panel hosted/sponsored by Brooks Pierce, LLP and the N.C. Technology Association, October 6, 2020.

Presenter, “Networks and Investigations: Selected Topics for Counsel”, North Carolina Technology CLE presented virtually/via Zoom to approximately 70 NC-licensed attorneys, hosted by Ketan Soni, Esq., February 11, 2021.

Co-Presenter with Womble Bond Dickinson, “Alice in WeChatland: Into the Compliance and Discovery Rabbit Hole of Messaging Apps”, Association of Corporate Counsel, Charlotte, NC Chapter Technology CLE (presented virtually), April 15, 2021.