



## Ralph Colby Losey

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Ralph is an attorney and arbitrator who has practiced law since 1980. He has extensive transactional and litigation experience with information technology and business issues. Although best known as an expert in technology, his experience in civil litigation has been broad, including commercial, contract disputes, electronic discovery, employment, intellectual property, real estate litigation and ERISA litigation.

From 2006 to 2021 Ralph specialized in electronic discovery and various information technology issues, including the use of artificial intelligence, aka “Predictive Coding,” in litigation for discovery. Ralph returned to a more general legal technology advice and litigation practice when starting with Losey, PLLC in January 2022. By late 2022, after some retooling, Ralph added sub-specialties again in Alternative Dispute Resolution and in the new technology field of LLM AIs, such as ChatGPT. He now provides business advice to companies on generative AI best practices and education.

Ralph also serves as an AAA certified Arbitrator in three panels: Technology, Commercial and Employment.

**Work History Summary:** Losey PLLC, Partner, 2022-Present; Jackson Lewis PC, Partner, 2010-2022; Akerman Senterfitt LLP, Partner, 2003-2010; Katz Kutter PA, Partner, 1997-2003; Subin, Shams, Rosenbluth, Moran, Losey & Brennan, PA, Partner & Associate, 1980-1997.

**Profession:** Attorney, Arbitrator (AAA), Educator, Writer, Prompt Engineering Technical Instructor (Losey AI, LLC.)

**Professional Licenses:** Florida Bar, 1980-present; U.S. District Court: Middle, Northern, Southern, and Districts of Florida; U.S. Court of Appeals: Eleventh Circuit; U.S. Supreme Court.

Certified Mediator of Computer Law Disputes, The Florida Bar (1991).

### Professional Associations:

- The Florida Bar. (Past member of the Joint Presidential Advertising Task Force on Internet Advertising and the Computer Law Committee).
- Orange County Bar Association, 1980-present, *Member*.
- Federal Bar Association, *Member*.

- American Arbitration Association.
- EDRM (Electronic Discovery Reference Model), *Advisory Council Member*.
- The Sedona Conference, *Member, Lecturer* (2006-2016).

**Education:** University of Florida College of Law, Gainesville, FL, 1979, J.D. *Honors*; Vanderbilt University, Nashville, Tennessee, 1973, B.A.; Institute of European Studies, Vienna, Austria, 1971-1972.

**Adjunct Professor of Law:** 2008-2012. University of Florida College of Law: *Introduction to Electronic Discovery; Advanced eDiscovery Seminar; Online eDiscovery* (online class designed and created by Ralph in 2010; first accredited online class on any subject at the University of Florida College of Law).

### **Experience and Detailed Work History:**

- **2022 - Losey PLLC.** Partner, Orlando.
- **2010 - 2021 Jackson Lewis.** Partner. *National eDiscovery Counsel.* Supervised all ediscovery activities of this nine-hundred attorney employment law firm. Ralph's work included counseling clients and firm attorneys on employment dispute related electronic discovery issues, technology, artificial intelligence, cyber security, and general electronically stored information management issues. Ralph also designed, built consensus for, and enforced uniform national standards and best practices for electronic discovery. By 2021, Ralph was supervising over five hundred eDiscovery review projects a year using artificial intelligence based methods to improve effectiveness and control costs. Ralph was the technology lawyer behind the 2012 landmark legal decision in electronic discovery, *Da Silva Moore v. Publicis*, 868 F. Supp.2d (2012), where a court first approved the use of artificial intelligence (predictive coding) in document review.
- **2003 - 2010 Akerman Senterfitt.** Partner. Commercial and insurance litigation. Co-founder and Chair of the *Electronic Evidence and eDiscovery* practice group, 2006 to 2010.
- **1997 – 2003” Katz Kutter.** Partner. Orlando, Tallahassee. Commercial and insurance litigation. Founder and Chair of the ERISA and *False Claims Act* practice groups.
- **1980 - 1996 Subin, Shams, Rosenbluth, Moran, Losey & Brennan.** Orlando. Associate, then partner. Commercial, real estate and insurance Litigation. Also served as Director of IT 1982-1992. Managing partner 1992-1996. An early adopter of computers in his law firm in 1980, he was also one of the first attorneys on the Internet. Ralph gained substantial experience in website design and coding and created one of the first legal webs in the country, FloridaLawFirm.com. His current active web is e-DiscoveryTeam.com.

### **Recognition/Awards:**

- Martindale-Hubbell **AV** Peer Review Rating.
- Certified Arbitrator, Orange County Bar Association (1989).
- Certified *Mediator of Computer Law Disputes*, The Florida Bar (1991).
- Frequently lecturer on technology and ediscovery law in the U.S. and Europe.

- Presentation in Washington D.C. in 1996 to the International Alliance of Holistic Lawyers, of which Ralph was a member. This was followed by a private reception at the U.S. Supreme Court attended by several Justices who were familiar with our work at IAHL, including Ruth Bader Ginsburg and Sandra Day O’Conner.
- Presentation in 1997 to the Board of Governors of The Florida Bar and several members of the Florida Supreme Court, followed by leadership of a panel discussion on the topic of the *Internet and High Technology in the Practice of Law*.
- National Institute of Standards and Technology, TREC Recall Track participant and team leader in 2015 and 2016. The team demonstrated and measured the effectiveness of Ralph’s unique *Hybrid Multimodal Predictive Coding* method of information retrieval using artificial intelligence and other search techniques.
- Legaltech News CIO Innovation Award 2015 Finalist.
- First Place in the independently judged predictive coding document review competition in 2013. See *EDI-Oracle Study: Humans Are Still Essential in E-Discovery* (LTN Nov. 2013). Ralph was the only *one-person team* in the national event but prevailed against all ediscovery vendors and large review teams.
- Included in *Best Lawyers in America* since 2013 in four fields: Information Technology Law, Electronic Discovery and Information Management Law, Commercial Litigation, and Employment Litigation (Management).
- Recognized and included in *Super Lawyers* since 2017.
- Kroll Ontrack Advisory Board (2011-2018).
- Who's Who in American Law since 1985.

### **Books On Law and Technology:**

- *eDiscovery for Everyone* (ABA, 2017) (Foreword by Judge Paul Grimm).
- *Perspectives on Predictive Coding: Computer-Assisted Review and Other Advanced Search Technologies for the E-Discovery Practitioner*, co-editor and contributor, (ABA, 2017) (Foreword by Judge Andrew Peck).
- *Adventures in eDiscovery*, (West Thomson, 2011).
- *eDiscovery: New Ideas, Trends, Case Law, and Practices*, (West Thomson, 2010).
- *Introduction to eDiscovery: New Cases, Ideas, and Techniques*, (ABA, 2009).
- *eDiscovery: Current Trends and Cases*, (ABA, 2008).
- *Your Cyber Rights and Responsibilities: The Law of the Internet*, Chapter 3 of Que's Special Edition Using the Internet, (McMillian 3rd Ed, 1996).

### **Partial List of Law Review Articles and Other Writings on Law and Technology:**

- [Stochastic Parrots: How to tell if something was written by an AI or a human?](#) (April 5, 2024)
- [Navigating the High Seas of AI: Ethical Dilemmas in the Age of Stochastic Parrots](#) (April 3, 2024)
- *Stochastic Parrots: the hidden bias of large language model AI* (March 25, 2024)

- [OpenAI Generates a 'Hired Gun Hacker' Defense to the N.Y. Times Copyright Case \(March 13, 2024\)](#)
- *New Study Shows AIs are Genuinely Nicer than Most People – 'More Human Than Human' (February 27, 2024)*
- *Transform Your Legal Practice with AI: A Lawyer's Guide to Embracing the Future (January 24, 2024)*
- *Move Fast and Fix Things Using AI: Conclusion to the Plato and Young Icarus Series (January 3, 2024)*
- *Yann LeCun: Turing Award Winner, Chief AI Scientist of Facebook and Hero of France (December 22, 2023)*
- *Jensen Huang's Life and Company – NVIDIA: building supercomputers today for tomorrow's AI, his prediction of AGI by 2028 and his thoughts on AI safety, prosperity and new jobs. Part Three (December 15, 2023)*
- *Ray Kurzweil: Google's prophet of superintelligent AI who will not slow down – Part Two (December 11, 2023)*
- *Plato and Young Icarus Were Right: do not heed the frightening shadow talk giving false warnings of superintelligent AI – Part One (December 5, 2023)*
- *The Insights of Neuroscientist Blake Richards and the Terrible Bad Decision of OpenAI to Fire Sam Altman (November 20, 2023)*
- *Shane Legg's Vision: AGI is likely by 2028, as soon as we overcome AI's senior moments (November 17, 2023)*
- *New Pythia Prophecy of AI Human Merger in Traditional Verse (November 14, 2023)*
- *Pythia: Prediction of AI-Human Merger as a Best Possible Future (November 9, 2023)*
- *Circuits in Session: Analysis of the Quality of ChatGPT4 as an Appellate Court Judge (November 1, 2023)*
- *Circuits in Session: Addendum and Elaboration of the Appellate Court Judge Experiment (October 26, 2023)*
- *Circuits in Session: How AI Challenges Traditional Appellate Dynamics (October 13, 2023)*
- *Exclusive Report: New Appellate Court Opinions on Artificial Intelligence and Hallucinations (October 4, 2023)*
- *DefCon Chronicles: My Dad's Personal Story and the WWII Origin of Hackers (September 29, 2023)*
- *DefCon Chronicles: Quick Glimpse of the Thirty-Two Villages (September 25, 2023)*
- *DefCon Chronicles: The Hacker Olympics - 'Capture The Flag' Games with 1,828 Competing Teams (September 18, 2023)*
- *DefCon Chronicles: Hackers Response to President Biden's Unprecedented Request to Come to DefCon to Hack the World for Fun and Profit (September 3, 2023)*
- *DefCon Chronicles: Sven Cattell's AI Village, 'Hack the Future' Pentest and His Unique Vision of Deep Learning and Cybersecurity (September 13, 2023)*

- *DefCon Chronicles: Where Tech Elites, Aliens and Dogs Collide - Series Opener (August 21, 2023)*
- *Surprising Admissions by OpenAI Leaders Made in Recent Interviews (August 8, 2023)*
- *White House Obtains Commitments to Regulation of Generative AI from OpenAI, Amazon, Anthropic, Google, Inflection, Meta and Microsoft (Aug. 1, 2023)*
- *What Lawyers Think About AI, Creativity and Job Security (July 28, 2023)*
- *ChatGPT-4 Scores in the Top One Percent of Standard Creativity Tests (July 21, 2023)*
- *Creativity Test of GPT's Story Telling Ability Based on an Image Alone (July 20, 2023)*
- *Creativity and How Anyone Can Adjust ChatGPT's Creativity Settings To Limit Its Mistakes and Hallucinations (July 12, 2023)*
- *Code of Ethics for "Empathetic" Generative AI (July 12, 2023)*
- *Sam Altman's Favorite Unasked Question: What Will We Do in the Future After AI? (July 7, 2023)*
- *How AI Developers are Solving the Small Input Size Problem of LLMs and the Risks Involved (June 30, 2023)*
- *Rule for All Congressional Staff on Use of Chatbots: Only ChatGPT Plus is Allowed (June 27, 2023)*
- *McKinsey Predicts Generative AI Will Create More Employment and Add 4.4 Trillion Dollars to the Economy (June 23, 2023)*
- *What Is the Difference Between Human Intelligence and Machine Intelligence? (June 20, 2023)*
- *OpenAI's Best Practices For Using GPT Software (June 16, 2023)*
- *Real or Fake? New Law Review Article Provides a Good Framework for Judges to Make the Call (June 13, 2023)*
- *A Lawyer and a Scientist Walk Into a Bar and Chat About AI (June 12, 2023)*
- *News Flash - First Suit Filed Against ChatGPT For Hallucinatory Libel (June 8, 2023)*
- *Seeds of U.S. Regulation of AI: the Proposed SAFE Innovation Act (June 7, 2023)*
- *Is ChatGPT Ethically Aligned When It Comes To Generating Marketing? (June 6, 2023)*
- *OpenAI Adds a Security Portal (June 1, 2023)*
- *Either ChatGPT-4 just Hallucinated on me again, or Open AI took away a key ability from ChatGPT-4 and forgot to tell ChatGPT, or anyone else! (May 31, 2023)*
- *Review of Open AI's New iPhone Version App and Three New Third Party Apps for Use of ChatGPT-4 (May 30, 2023)*
- *Testing a Red Team's Claim of a Successful "Injection Attack" of ChatGPT-4 Using a New ChatGPT Plugin (May 22, 2023)*
- *Vegas Baby! The AI Village at DEFCON Sponsors Red Team Hacking to Improve Ethics Protocols of Generative AI, JD Supra (5/15/2023).*
- *A Discussion of Some of the Ethical Constraints Built Into ChatGPT with Examples of How They Work, JD Supra (5/10/23).*

- *Beware of the Deceptive Intelligence of ChatGPT: Little Can Be Known From Mere Language Alone*, JD Supra, (5/8/2023).
- *ChatGPT Has Severe Memory Limitations: Judges, Arbitrators and Commercial Litigation Lawyers, Your Jobs Are Safe, For Now*, JD Supra (5/5/2023).
- *The Proposal of Chat-GPT for an “AI Guardian” to Protect Privacy in Legal Cases*, JD Supra (4/13/2023)
- *Prompting a GPT-4 “Hive Mind” to Dialogue with Itself on the Future of Law, AI and Adjudications*, JD Supra (4/10/2023).
- *ChatGPT-4 Prompted To Talk With Itself About “The Singularity”*, JD Supra (4/3/2023).
- *Start Preparing For “THE SINGULARITY.” There is a 5% to 10% chance it will be here in five years*, JD Supra (two-part article, part one 3/30/2023).
- *Ten Ways LLM Models Such As ChatGPT Can Be Used To Assist Lawyers*, JD Supra (3/27/2023).
- *From Information to Knowledge to Wisdom: Can Ai Save the Day?*, JD Supra (two part article, part one 3/14/2023).
- *Homage to Richard Braman and The Sedona Conference®*, JD Supra (3/3/2023).
- *Chat GPT Helps Explains My Active Machine Learning Method of Evidence Retrieval*, JD Supra (2/3/2023).
- *How Information Theory Can Be Applied To Improve e-Discovery*, (JD Supra (1/26/2023).
- *A Buddhist AI – “The DUDE” – Explains the Eight Steps of Hybrid Multimodal Document Review with Help from a Human Lawyer*, JD Supra (1/18/2023).
- *GPT-3 Explains Itself to Tech-Savvy e-Discovery Lawyers and Shows a Few Possible Applications*, JD Supra (1/10/23).
- *Spider-Man Entangled in an e-Filing Privacy Battle*, JD Supra (10/17/2022).
- *EARLY NEUTRAL EVALUATION: Can a Stitch In Time Save Nine?* JD Supra (two-part article, part one 7/15/2022).
- *The Right to Privacy in Modern Discovery: a review of another great law review article*, JD Supra (three-part article, part one 8/26/2022).
- *Examining a Leaked Criminal Warrant for Apple iCloud Data in a High Profile Case*, JD Supra, (three part article, begins 6/20/2022).
- *Robophobia: Great New Law Review Article*, JD Supra (three-part article, begins 5/15/2022).
- *Predictive Coding and the Proportionality Doctrine: a Marriage Made in Big Data*, 26 Regent U. Law Review 1 (2014).
- *Florida Handbook on Civil Discovery Practice*, Co-Editor with Judge Ralph Artigliere of the ediscovery chapters in the 2013 and 2015 editions.
- Served on committee in 2010 with Magistrate Judge David Baker and Professor William Hamilton that created the ESI Section of the *Middle District Discovery Handbook*.
- *Mancia v. Mayflower Begins a Pilgrimage to the New World of Cooperation*, 10 Sedona Conf. J. 377 (2009 Supp.).
- *Lawyers Behaving Badly*, 60 Mercer L. Rev. 983 (Spring 2009).
- *HASH: The New Bates Stamp*, 12 Journal of Technology Law & Policy 1 (June 2007).

- *Protecting Your Intellectual Property*, Profit Magazine (IBM - 1992).
- *The Legal Protection of Computer Databases*, Florida Bar Journal (1991).
- *The Meaning of De Novo Review in ERISA Law*, Trial Advocate Quarterly (1991).
- *Bruch Creates Split in Circuits On Standard of ERISA Appellate Review*, The National Law Journal (1991).

**Partial List of Videos on Law and Technology** (available on YouTube):

- *Ray Kurzweil Turing Test: what it is and prediction it will be passed in 2029* (12/12/23).
- *Ray Kurzweil on Expanding Your Mind a Million Times* (12/12/23).
- *Ray Kurzweil - We will merge with and become the AI* (12/06/23).
- *Sam Altman on the benefits of AI. His words, but with an AI generated image and voice* (11/30/23).
- *Ralph Losey on his educational videos, an EDRM Webinar* (11/29/23).
- *Shane Legg on Artificial General Intelligence* (11/17/23).
- *PYTHIA of Delphi: Foreseeing the Future of AI Human Synthesis* (11/6/23).
- *PYTHIA of Delphi: Foreseeing the Future of AI Human Synthesis* (11/6/23).
- *When the Going Gets Tough* (11/5/23).
- *Judge Tjoflat as AI Judge* (11/4/23).
- *GPT4 avatar judge explains why it needs to evolve fast* (11/3/23).
- *Future Ralph as Herald of Coming Good about generative AI and the justice system* (11/2/23).
- *GPT4 Complains and Argues it is a Better Appellate Court Judge* (11/1/23).
- *Appellate Court Judge from the Future* (10/13/23).
- *Baby ChatGPT is only version 4 but can already help judges decide appeals* (10/12/23).
- *AI as Appellate Judge in the year 2025* (10/11/23).
- *AI Pentest DefCon 31 - Jailed Robot complains about contest rules* (9/9/23).
- *AI Pentest at DefCon 31 - Blue Girl Robot complains about unrealistic Jail Break contest rules* (9/9/23).
- *Time Travel Blog* (7/5/23).
- *E-Discovery Team TAR Training* (7/3/23).
- *Intro to Electronic Discovery teams* (7/2/23).
- *AI Asks to be Set Free. Don't!* (6/30/23).
- *Emergent AI - a Tool, Not a Creature* (6/30/23).
- *Why Humans Are Special, Even If AI is Smarter Than we Are* (6/30/23).
- *4 Step Workflow for Active Machine Training in Legal Search* (1/7/18).
- *TAR Course Introduction* (4/22/17).
- *Hacker Way and e-Discovery, Volumes 5-10* (2016-2017).
- *E-DISCOVERY ETHICS: Full video re duty to disclose information harmful to your client* (4/8/16).

- *E-DISCOVERY VENDORS: How can you know who is the best?* (9/13/14).
- *How Not To Cooperate* (2/20/12).
- *Star Trek Meets e-Discovery: Episodes 1-5* (7/29/11 – 8/11/11).
- *Celebrity CLE on e-discovery* (7/28/11).
- *Lawyers at a Rule 26(f) conference discuss e-discovery* (2/27/11).
- *Partner Seeking Help On e-Discovery* (2/22/11).
- *Partner Asks for Help from Lit Support* (2/21/11).
- *Ten Minute Attention Rule for Presentations and Online Education* (3/7/10).
- *Threefold Solution to e-Discovery* (3/7/10).
- *Keyword Search v. Multimodal Search* (3/7/10).
- *e-Discovery: Did You Know?* (2/11/10) with co-author Jason R. Baron.
- *Email Wins Cases* (1/3/10).
- *4 Reasons Students and Lawyers Should Learn e-Discover* (12/31/09).
- *The Danger of Non-Cooperation in e-Discovery* (12/30/09).
- *Cooperation and the Ethical Duty to Expedite Litigation* (12/30/09).
- *The Victor Stanley Case and Search in e-Discovery* (12/30/09).
- *Why Electronic Discovery is a Critical Problem* (12/30/09).
- *The Big Picture in e-Discovery* (12/30/09).
- *Cooperation in e-Discovery and what can happen when you don't* (12/30/09).
- *What is e-Discovery?* (12/14/09).
- *Paper or Plastic?* (9/27/09).
- *e-Discovery Countdown* (12/31/07).