



E-DISCOVERY CONSULTING

EFFICIENT. PRACTICAL. SMART.

EXPERTS WITH IMPACT™



FTI Technology helps clients meet their dynamic **legal and regulatory challenges** with innovative e-discovery solutions.

From maximising the use of in-house tools, to managing the entire process as an outsourced managed service, FTI Consulting offers a broad range of flexible solutions that focus not only on the technical tools, but also on the policies and procedures that support the entire process.

E-Discovery Consulting

Efficient. Practical. Smart.

We differentiate our e-discovery consulting services through:



DATA REDUCTION

Less data in the e-discovery process can result in dramatically lower costs. We help organisations proactively remediate redundant, old and trivial information, collect only what is necessary, cull data through early case assessments, and utilise Technology Assisted Review and analytics for smarter and more efficient reviews. Through every step of the process, data reduction is defensibly achieved.



PROCESS WORKFLOW

Our team can help clients more effectively manage data from inception through the production. No matter the type or size of the matter, we can leverage proven, out-of-the-box workflows or design custom processes to quickly and cost-effectively deliver results. We work within program parameters to develop standardised processes and templates, implement best practices, and document final workflows that integrate seamlessly with the client's business model.



BEST-OF-BREED TECHNOLOGY

There isn't a 'one-size-fits-all' solution for e-discovery. A number of variables make each organisation unique – including industry, litigation profile, internal resources, company culture, geographic footprint, and technology infrastructure. We understand these requirements and deliver solution-oriented products and services to meet client needs. This includes providing best-of-breed technology and where possible, leveraging the client's existing IT investments.



GLOBAL EXPERTISE, LOCAL INSIGHTS

FTI brings in global expertise and deep knowledge of the local environment to provide cutting-edge and curated solutions. Our multilingual teams work quickly and in accordance with data privacy laws to assist clients in their endeavours, capitalising on our in-house state-of-the-art forensic lab and secure hosting capabilities. With industry-leading tools, experienced team, extensive industry experience and a global presence, FTI offers a comprehensive approach to e-discovery.

E-Discovery Consulting & Service Offerings

Companies rely on us for a full range of e-discovery consulting and services, including:



IDENTIFICATION AND PRESERVATION

Our team has expertise in defining potentially relevant data sources and working with IT to defensibly preserve those sources. In addition, we can analyse automatic deletions within the system, help advise on preservation policies and also implement and train teams on preservation tools, such as those within Microsoft Office 365.



E-DISCOVERY SOFTWARE CONSULTING

From point solutions (i.e. legal hold, ECA, legal review), to end-to-end applications, we help organisations find, implement and optimise the best technology for their needs. This can include a wide variety of services, including hosting, on-demand services and training.



DATA COLLECTION & FORENSIC INVESTIGATIONS

With speed, efficiency and discretion, our team can provide a strategic, systematic, and economic approach to investigating and collecting a myriad of data sources including network, mobile device and cloud-based social media data.



MOBILE DATA CENTRE

For companies that need their data or other electronically stored information to remain at their premises, FTI Consulting can quickly deploy our e-discovery mobile data centre behind the client's firewall while maintaining the client's data privacy and security protocols.



DATA MANAGEMENT

Ensure that sensitive data is properly managed and remains secure, from cataloguing backup tapes to collecting and remediating produced data after a matter end.



FIND FACTS FAST

Our team of dedicated researchers, combined with advanced analytics technology, can quickly unearth key facts and data sets to enable timely and strategic decisions in investigations or litigation.



DATA PRESENTATION

FTI Consulting professionals apply their courtroom hot seat experience to understand and present your data in a manner that is actionable, whether for arbitration hearings, board presentations or other related needs.



E-DISCOVERY MANAGED SERVICES

From software hosting to workflow design, project management and staffing, FTI Consulting can manage the whole e-discovery process with a flat and transparent monthly pricing model.



MANAGED REVIEW, INCLUDING FOREIGN LANGUAGE

FTI Consulting drives quality and efficiency at every step of the legal review process, providing a unique combination of advanced software, expert attorney review teams and innovative workflows executed in collaboration with outside counsel.

CASE STUDY

Healthcare Merger Aided in Second Request and Litigation by FTI Consulting's E-Discovery Consulting & Services

Challenge: Two healthcare companies planned a merger and faced an anti-trust 'Second Request' investigation and anticipated that the government would issue anti-trust litigation against them. The companies had just 60 days to respond to the Department of Justice (DOJ) Second Request and needed to ensure that highly sensitive patient data remained secure and in compliance with the Health Insurance Portability and Accountability Act (HIPAA).

Solution: Because of FTI Consulting's deep expertise in Second Requests, including handling the e-discovery component in dozens of Second Requests over the past several years, both healthcare companies selected FTI Consulting as their e-discovery partner. FTI's services included collecting over 14 million documents and reducing the dataset by

nearly half through culling, conducting a managed review with sophisticated workflows to keep data secure and in compliance with HIPAA, homing in on important documents quickly using advanced analytics, supporting post-production depositions and substantive strategy development, and providing expert witness testimony to the quality and defensibility of the entire e-discovery process.

Result: Despite several challenges, including changing priorities, rolling collections, and shifting deposition timing, the data was safely produced to the DOJ in line with the timing agreements made. FTI's team, through its expertise and analytics, helped in-house counsel and the law firm achieve substantive compliance as requested, on time, and within budget.

CASE STUDY

Entertainment Service Realises Substantial Savings with Custom E-Discovery Process

Challenge: A dispute over licensing fees forced a digital entertainment service into litigation for the second time in as many years. Attorneys for the opposing litigants refused to renegotiate the previously agreed-upon – and overly broad – keywords that could be used in document searches for case-relevant material. Adding to the pressure was a narrow three-week time window to finish the job, as well as a demand by the opposition to receive no more than 30,000 responsive documents.

Solution: Facing the daunting task of evaluating 1.7 million documents, the company turned to FTI Consulting to employ its analytics-based e-discovery services. In order to avoid giving the plaintiff in the case cause to challenge the validity of the disclosed documents, it was crucial for FTI to develop a strategy and customised workflow that suited its client's unique needs. Due to the broad keywords, FTI Consulting's expert e-discovery team

utilised an iterative approach, combining use of predictive coding and analytics, to quickly identify and review likely responsive documents.

Result: The iterative approach reduced the data set for review from 1.7 million documents to 59,000, of which 25,000 were produced. Opposing counsel did not issue discovery challenges, and the client realised substantial e-discovery savings. The efficiencies generated by FTI's services represented a savings of \$2.5 million over a traditional linear review of the same documentation. Moreover, the iterative workflow combining predictive coding and analytics generated a savings of \$600,000, compared to a scenario where only the predictive coding tool was used.

CASE STUDY

OFAC Investigation

Challenge: The Office of Foreign Assets Control (OFAC) within the U.S. Treasury required a company to review several years of historical transactions to investigate if any business was conducted with sanctioned individuals and companies.

Solution: Our team of technology and financial data experts assisted the client with the identification, collation, review and categorisation of questionable transactions, in line with OFAC's requirements. At the peak of the investigation the document review team comprised 600 reviewers in multiple jurisdictions, analysing more than one million documents. In addition, more than 100 million archived SWIFT messaging transactions were extracted, reconstructed and processed, enabling a comprehensive transactional review.

Result: Our expertise and powerful review and analysis tools gave our client an adaptable yet efficient way to meet OFAC's requirements. The client responded to the regulator within the imposed timeframe and delivered the results of its detailed transactions review.

CASE STUDY

Investigation of Asset Misappropriation

Challenge: A European listed entity had concerns with regards to cash misappropriation from several offices based within the Middle East but had no evidence to support the concerns or a strategy to prevent further leakage and eventual recovery.

Solution: An expert team of forensic accountants and technologists quickly deployed onsite to conduct a discrete forensic collection of the electronic evidence and interviews with key subjects. The data was uploaded to a leading legal review platform for timely analysis and evidence collation. The team also utilised our business intelligence colleagues to identify common ownership interests between suspects and beneficiaries of payments.

Result: The findings of the investigation were presented in a report to both the client and their legal counsel to support legal proceedings and asset recovery.



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About FTI Consulting

FTI Consulting is an independent global business advisory firm dedicated to helping organizations manage change, mitigate risk and resolve disputes: financial, legal, operational, political & regulatory, reputational and transactional. FTI Consulting professionals, located in all major business centers throughout the world, work closely with clients to anticipate, illuminate and overcome complex business challenges and opportunities. For more information, visit www.fticonsulting.com and connect with us on Twitter (@FTIConsulting), Facebook and LinkedIn.

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10 | 15 | 18