

E-Discovery

A comprehensive approach to e-discovery from meeting discovery obligations in a cost-effective, defensible manner to preparing our clients' defense through motions practice, depositions, and trials.

With a comprehensive approach to eDiscovery, we leverage decades of experience with technological advances to integrate litigation preparation with defensible, cost-effective eDiscovery strategies. Our approach does not rest on a one-size-fits all strategy. Rather, we work collaboratively with our clients to develop custom strategies that fit their business goals and the litigation or investigation at hand. Our goal is not simply to identify and produce documents to meet litigation obligations, but to know and understand the documents being produced as part of the overall litigation strategy. Our eDiscovery team includes professionals who accomplish both.

COMPREHENSIVE ELECTRONIC DISCOVERY APPROACH

Hollingsworth LLP has developed extensive expertise in managing electronic discovery collections ranging from a few thousand pages to productions of tens of millions of electronic images and other files. In addition to our internal litigation support applications, we have developed close relationships with outside vendors to provide scalable eDiscovery services.

Incomplete and undocumented electronic discovery collections can be costly to both the client and their legal counsel. Therefore, we work closely with our clients and their IT staff to fashion a comprehensive, cost-effective approach for identifying, retrieving, processing, reviewing, and producing materials originally stored electronically. Whether handled internally or via an eDiscovery vendor, we discuss proper planning and file collection methods at the beginning of each case. When collecting electronic discovery, we ensure the use of processes and applications designed to create defensible and verifiable electronic discovery productions and evidence.

LAWYERS WITH DECADES OF EXPERIENCE

The attorneys leading our eDiscovery efforts in litigation or investigations not only have decades of experience working with companies to efficiently preserve, identify, collect, process, and review data, but also have decades of experience in trial and appellate practice that informs their judgment and recommendations to our clients. These attorneys not only lead national teams comprised of multiple law firms in roles such as National Coordinating Counsel and ESI Liaison Counsel, but also have presented on related topics at national conferences, at eDiscovery training programs such as Georgetown's eDiscovery Training Academy, and through publications such as ALM's *Legaltech News*. Many of our eDiscovery attorneys are members of the Sedona Conference.

Working with numerous vendors across the country as well as forensic experts to preserve and analyze electronic materials, our lawyers are well-equipped to guide clients through making decisions concerning the costs and benefits of different methods of data acquisition and preservation tailored to the different data sources involved. We develop methodologies in individual cases for processing material for review, and are experienced in use of data analytics and machine learning (sometimes referred to as technology-assisted review or predictive coding) to improve the efficiency and quality of those review efforts.

Our eDiscovery team adapts quickly to changing review strategies to meet the needs, constraints, and challenges of specific clients and projects. These include mastering new document review platforms, adapting review protocols to meet time constraints and requirements of discovery orders, and managing review through direct contact with reviewers and through remote contact with vendor review team supervisors. This also includes negotiating and securing orders and agreements to protect our client's information, including to address confidentiality, privilege, data security, and data privacy issues. Many of our clients are global companies, and we work closely with them to implement strategies that balance U.S. litigation obligations with data privacy obligations such as those arising under the European Union's General Data Protection Regulation (GDPR).

THE BENEFIT TO OUR CLIENTS

The value-added nature of our eDiscovery team is that as we review (directly or in collaboration with a vendor) documents for production purposes, we are simultaneously identifying key documents to be used in case preparation, including depositions, motions practice, and trial. With an end goal of creating balance between cost-effectiveness and case preparation, our history of success with this strategy is a testament to its effectiveness.