SHEPHERD+ WEDDERBURN

e-discovery

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At Shepherd and Wedderburn we have brought together the brightest legal and technical expertise for our specialist eDiscovery and investigations team. Exploiting the best technology available to professional services firms and companies across the globe, Shepherd and Wedderburn's eDiscovery team will help you chart the best course through any eDiscovery project or investigation.

The Challenge

Whether you are working to meet disclosure obligations in civil litigation, responding to regulatory challenges or running an internal investigation, electronically stored information (ESI) now presents a major challenge to businesses and law firms.

Legal document reviews represent a costly and time consuming element of litigation cases and regulatory enquiries. The volume and variety of ESI continues to rise, and to outstrip the capabilities of conventional search and review techniques. The sheer volume of data generated in the workplace means that a fast and efficient way of tracing, reviewing and classifying documents is required in order to maximise effort and minimise client costs.

The potential penalties for failure and delay in dealing effectively with eDiscovery are heavy – in legal costs, damages and fines, business disruption and reputational harm.

The response: S+W eDiscovery

Our highly trained team combines the legal expertise and technological understanding required to meet the challenges posed by ever increasing volumes of ESI. S+W's eDiscovery experts advise on, plan and execute eDisclosure projects and ESI investigations in conjunction with industry experts in both eDisclosure and forensic investigations. We apply the highest standards of practical and technological processes, following and exceeding the TCC 2014 protocols.

S+W eDiscovery offers:

Advanced technology	Continuously reviewed and extended to meet the constantly changing ESI landscape, including mobile, cloud and social media.
Secure hosting	Data centres which meet the strictest security standards.
Easily accessible review	Counsel, litigation support personnel and clients can review documents securely from multiple locations at any time. S+W e-Discovery uses secure web-based applications, making it easy for users to log in to review ESI in a convenient, secure and controlled fashion.
Shareable document collections	Different organisations can carry out their work in strictly segregated and private workspaces whilst the underlying documents are shared, reducing data management costs.
Forensic expertise	S+W's eDiscovery team can call on leading industry consultants to address technical issues and ensure reliable, forensically sound collection and processing of data.
Data privacy compliance	Data can be physically hosted and processed on client sites if required, to guarantee the very highest standards of privacy and security.

Reducing the burden

Through use of advanced technology, S+W eDiscovery can effectively and defensibly reduce the eDiscovery burden, not only for disclosure exercises but also increasingly in investigations.

Early Case Assessment and defensible culling

Bringing too much ESI into the scope of a review or investigation can be as damaging as failing to include key material in collections and searches. With the use of advanced Early Case Assessment (ECA) technology, S+W eDiscovery takes a staged approach, building on the assessment of each new set of data to inform the next phases of investigation.

Focused effort means the work of senior lawyers and subject-matter experts is leveraged to obtain more consistent, complete and accurate results faster. Key features of ECA are set out in the table below:

Conceptual clustering	At the earliest possible stage, even before documents are prepared for review, we use powerful conceptual clustering and searching, based on latent semantic indexing technology. The legal team can gain an overview of the content of the document collections and from that identify key issues and topics. Such an early view can prove invaluable in assessing the strengths and weaknesses in a case whilst identifying additional lines of enquiry.
Interactive filtering	The legal team uses interactive filtering , enabling swift, effective and defensible identification, assessment and culling of irrelevant material, dramatically reducing the amount of data to be reviewed without compromising the thoroughness of the investigation.
Communication mapping	Helps to analyse and identify key lines of communication and potentially important individuals, enabling us to target further research on the most important data custodians.

Technology assisted review & investigation of documents

During investigations and reviews, we build the best technology available into our workflows, reducing the need for human review and leveraging the work of subject matter experts.

Keyword searching and customised relevance ranking of search results	Our experts prioritise the most important document sets in the review or investigation processes. We have specialised tools to detect and eliminate repeated content such as email footers. Identification of the context of keyword hits enables us to eliminate false positive results.
Structured information	We use highly developed tools to extract structured information from the content of documents. This information supplements electronic metadata which may not accurately reflect the true content of email attachments, unstructured electronic documents and paper documents.
Privilege filtering	In order to ensure documents subject to legal professional privilege are correctly identified and withheld from disclosure, S+ W eDiscovery uses case customisable tools to analyse and classify potentially privileged material for review. Language indicative of legal professional privilege is analysed in conjunction with the extrinsic context of the document to highlight and rank documents most at risk of containing privileged information.
Predictive coding	S+W eDiscovery employs predictive coding, using tools derived from different underlying technologies depending on which is best adapted to the needs of the case. Support vector machine technology produces highly accurate and immediately usable results from the first small samples classified by senior lawyers and investigators. Latent semantic indexing technologies provide alternative strategies for automated classification of documents with similar content to that of seed sets. These technologies can be used to supplement and extend human review with highly accurate machine coding, eliminate non-responsive material from review, prioritise key data, and enhance the quality of human review.

Streamlined document review

The S+W eDiscovery team works with industry leading review platforms to ensure document reviews are as streamlined and efficient as possible.

- **Email threading** permits powerful analysis and visualisation of email threads, helping to ensure consistency and identification of missing material.

- **Near duplicate detection** enables reviewers to identify and compare documents and families which, whilst not technically duplicates, are identical in content. Powerful technology allows comparison of material, to focus reviewers quickly on pertinent differences and similarities.

- **Automated redaction tools** will redact all text matching given terms.

Multi-lingual capabilities

The review platforms we use provide multi-lingual support. Fully unicode compliant searching, automated language detection and machine translation on demand help reviewers manage foreign language documents. Features such as concept grouping and predictive coding also work with languages other than English.

Reporting

The progress of each review can be closely monitored with a sophisticated array of metrics. Exception, Workflow and Administrative Reports can be generated on demand or at scheduled intervals across all metrics. Deep reporting on exceptions, the option for password cracking on protected files and real-time monitoring of reviewer activity are among the available features offered.

For more information on S+W e-Discovery, contact:

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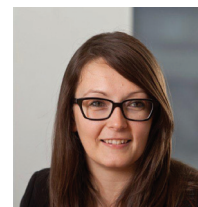M +44 (0)783 453 5176
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