Reduce Expenses & Exposure: Responding to Third Party Subpoenas
Managed Review – Case Study & Cost Analysis
Innovative Discovery, LLC

Context

Innovative Discovery, LLC ("ID") assisted a Client in preparing their response to a third party subpoena for documents relevant to an ongoing lawsuit. The Client, a multi-million dollar investment firm, wanted to be confident that their response would not include information pertaining to other matters in which they were involved. Consequently, the entire review universe would need to be reviewed to ensure all documents were appropriately withheld or redacted.

Challenges

- When responding to a third party subpoena, one of the most important aspects to take into consideration is adequate protection of the Client's privileges and confidential business information.

- ID needed to ensure that the Managed Review workflow would allow the Client to comply with the subpoena without incurring unnecessary expenses.

Managed Review

As the review universe for this matter was relatively small, only 3,875 documents, and each document required review, ID deployed specific analytic tools that would best serve as organizational methods.

The first analytic tool ID utilized in organizing this review was Email Threading, which enabled the Legal Reviewers to review an entire email conversation at once and in logical order. Email threading begins with an original email and groups all subsequent replies and forwards pertaining to the original email, therefore increasing review quality and consistency. A reviewer is able to focus on a single email conversation and identify relevant and non-relevant information consistently throughout the entire thread, ensuring privileged or confidential information is not included in the Client's final response.

ID also deployed Clustering as an organizational method for all non-email documents within the review universe. Clustering, which categorizes documents into mutually exclusive groups of conceptually similar documents based on similar text patterns, increases the overall rate at which the documents are reviewed. Each cluster identified as containing less relevant information can be reviewed more quickly or conversely, a cluster determined to contain relevant information can be targeted for extensive review. Additionally, clustering increases consistency during review as conceptually similar documents are all reviewed by a single reviewer, rather than piece-meal by multiple reviewers.

By utilizing Email Threading and Clustering as organizational methods in this review universe, ID was able to complete this review in a shorter amount of time without sacrificing a higher quality of consistency in the results. ***Despite the smaller number of total documents requiring review, ID's application of analytics and use of Legal Reviewers saved the Client over $17,000 when compared to a linear review performed by Outside Counsel.***

Cost Savings – Linear Review vs. Review with Analytics

Review Category	Documents per Hour	Documents Reviewed	Hours to Complete Review	Cost to Complete Review
TAR Review (Legal Reviewers)	65	3,875	59.6	-
Cost of Analytics (per GB)	N/A	N/A	0.97 GB[i]	-
Project Management & Workflow Consultation	N/A	N/A	8.9	-
TOTAL - TECHNOLOGY ASSISTED REVIEW			68.6	$ 4,348.85
Linear Review (Outside Counsel)	50	3,875	77.5	-
Project Management	N/A	N/A	11.6[ii]	-
TOTAL - LINEAR REVIEW			N/A	$ 21,409.38
**SAVINGS USING TECHNOLOGY ASSISTED REVIEW				$ 17,060.53

ID – ASSUMPTIONS:

[i] 4,000 documents per GB

[ii] Project Management time is estimated to be 15% of total review time