

## CASE STUDY:

### Efficiently Mining an Opponent's Discovery

#### > SUMMARY:

e-Discovery using Relativity® Analytics scrutinized a vast number of case documents to identify 25 new items of evidence in a greatly reduced timeframe, **saving the client 80% in cost and 13 hours in billable time.**

#### > BACKGROUND:

In a case involving allegations that an insurance broker misrepresented complex variable annuity products, the firm collected electronically stored information from its client, the plaintiff. Those files were reviewed and coded for responsiveness, issues and deposition kits. The client's documents included hundreds of emails between himself and the defendants, so we had a good sense of what the parties said to each other during their relationship. What we did not yet know is what the defendants said to each other – the internal communications about our client and the products sold to him. **We propounded discovery, which required the defendants to produce all communications about our client.** That data set therefore included the email communications already seen, because our client possessed a copy, as well as communications in which our client was not involved. The task was to quickly identify the documents that were not already in our client's possession, and find the key, new documents to use at upcoming depositions.

#### > OUTCOME:

Focusing on the files produced by the defendants, we used our software, Relativity, to exclude from view emails that were sent to or received by our client. **The system identified files that were duplicative** of those already reviewed and those were de-prioritized. The system then de-duplicated and threaded the remaining documents so that we could focus on the new, unique documents.

We then used conceptual analytics to group all documents in the system into clusters. This tool compared documents by substance, analyzing the frequency with which terms appear together in documents. The software then highlighted within each substantive cluster the documents we received from our client that we had already marked as "hot" or placed into a deposition kit. For clusters with a high percentage of important documents, **the software identified those documents that were conceptually similar** to a previously-marked important document, but had not yet been reviewed or coded. This shortcut provided us with yet unreviewed documents with similar substance to documents we had already identified as important.

These two processes allowed us to find 25 new documents that were important enough to mark "hot" or place into deposition kits. **All of this was done in about 2 hours of attorney time.** A linear review of each and every file produced by the defendant, assuming one could review a file a minute, would have taken more than 15 hours to accomplish. We were able to mine the new data and save our client approximately 80% of what it would have cost to review the production without leveraging our technology and skill.

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