



E-Discovery & Document Management Solutions

Overview

The significant majority of information that is relevant to lawsuits and investigations these days is in electronic format, stored on a wide variety of devices, including computers, servers, mobile phones, cloud-based messaging systems and workspaces. Members of Archer's E-Discovery & Document Management Solutions team were in on the ground floor as technology began to advance and the law developed to integrate electronically stored information ("ESI") into the litigation processes. The team grew along with advances in data science and technology and as litigation processes evolved.

The available legal and technology-based options and approaches have grown considerably over the years. Choosing the right ones for a given case requires a familiarity with best practices, the law and technology that comes only with experience. Today, the Archer E-Discovery & Document Management Solutions team comprises attorneys with experience in all aspects of electronic and hardcopy document discovery and management, as well as computer technology specialists, including three Certified E-Discovery Specialists (CEDS).

Recognizing that one size does not fit all cases, we work together with our clients to tailor electronic and hard copy document management functions to the needs of each case and our clients' business and litigation objectives. Giving due consideration to the available legal and technology-based options, we develop an approach that balances the amount in controversy and the costs and expenses involved in the discovery process with our clients' need to obtain relevant evidence and comply with the applicable law and rules. Where disagreements with adversaries concerning the scope and details of discovery arise, we work toward reasonable compromises where possible, but at the same time we do not hesitate to seek the court's intervention to vindicate our clients' interests.

More specifically, our team provides services and advice on the following aspects of electronic and hard copy document management:

- Preservation, including "legal holds"
- Identification of relevant sources and custodian interviews
- Collection from all storage devices

- eDiscovery litigation protocols, agreements and court orders
- Privileges, confidentiality agreements and confidentiality orders
- Search, review and production

We utilize state-of-the-art software platforms to collect, manage, review and produce ESI, such as Summation, Concordance, Introspect, IConect, Sanction, Ringtail, Nuix Discover, Trial Director and LAW Pre-Discovery. We can perform these functions directly or by working with third-party vendors and/or co-counsel. We commonly use keyword searches to identify potentially relevant ESI files and determine the next steps to take to help assure that the costs of review and production are proportional to the needs of the case. Where appropriate, we leverage technology assisted review (TAR) software functions, including concept searching, statistical clustering and predictive coding, to streamline search and review processes. We offer a team of lawyers and paralegals to conduct linear, eyes-on reviews of electronic and hard copy documents, or to supervise third-party vendors who perform these functions in appropriate cases.

In these ways, Archer's E-Discovery & Document Management Solutions team has successfully protected the interests of its clients while resolving a full range of issues and disputes concerning document review and production. Our clients range from individuals and small businesses to the world's largest companies. Regardless of the size of the client or the type of matter, we represent our clients' interests aggressively while working together to find the best solution for them.

Representative Experience

Freedom Cab v. Philadelphia Parking Authority

This large matter involved a dispute regarding taxi medallion rights. Working with client legal and technical staff, we collected and processed more than two million documents. Our role was to assist an ESI vendor and client IT staff with the identification and collection of relevant ESI; and the legal team with the review and production of same. The matter had the added complexity of data spanning a relevant timeframe of more than five years. The length of the relevant timeframe caused a number of issues during the discovery process. First, prior client IT staff had migrated email and file server data to a new system during the relevant timeframe which caused certain documents to be deleted accidentally by the third party vendor tasked with overseeing the migration. Next, while attempting to locate the missing documents, we learned that current client IT staff could no longer access the old server because they did not have the password. Also, unbeknownst to us and as a result of a poor conflicts check, both the Plaintiff and the Defendant used the same e-discovery expert to collect data. These and other issues were compounded by an unusually aggressive opposing attorney from Fox Rothschild.

CCJ Energy Partners v. Cumberland County Improvement Authority



This matter involved a dispute surrounding the development of an energy center that was to provide utility services for a new county building. We assisted our client with the identification and collection of nearly five hundred thousand documents. Using date restrictions, search terms and continuous active learning technology, we were able to narrow the number of documents needing “eyes on” from five hundred thousand to seventeen thousand. This was a routine matter for us.

Delaware County Board of Prisons

These multiple small matters involve the identification, collection , processing and review of documents for a government client. Utilizing a database clone coupled with a repeatable process that was created by us and the client, we routinely answer multiple Right to Know Requests each month.

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