

## E-Discovery & Review Counsel – Litigation

Experienced advocates, project management & right-sized approach



### Whether you are seeking to

- obtain legal counsel from veteran e-discovery litigators with a proven track record
- find experienced attorneys who advocate in negotiations with opposing parties, and plaintiff steering committees
- engage counsel who routinely appear in court and before magistrates, special masters, arbitrators, and regulators
- defensibly navigate multidistrict litigation
- leverage advanced analytics and technology assisted review to save both time and money

our team is here to help.

### The scope of e-discovery is an important early factor that can directly impact case outcomes

- Managing large numbers of documents is of critical importance in any complex business litigation
- Developing defensible and focused collection and production protocols can directly affect litigation spend
- Negotiating approach for culling strategies, including search terms and the use of analytics, at the onset of litigation can be impactful to overall case strategy and review protocols

### Nelson Mullins Encompass provides early case involvement that shapes litigation strategy and scope

- We regularly represent clients in meet and confers and Rule 26(f) conferences
- We routinely leverage analytics to developed tailored search terms

### Related Capabilities

Cybersecurity & Data Breach Response

Data Collection, Processing & Production

E-Discovery & Review Counsel – Investigations

Enterprise Data & Mobile Device

Enterprise E-Discovery Counsel

Hosting & Migration

Litigation Readiness

Predictive Coding & Analytics

Records & Information Governance

Review

Second Requests

Strategic Advocacy

- We aggressively negotiate ESI Protocols and Protective Orders to minimize client risk
  - We conduct interviews with relevant company employees to support e-discovery strategy and limit business impact
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## **Experienced litigators with an e-discovery focus**

- Veteran partner-level e-discovery attorneys who provide accountability and defensibility in court
  - Attorney teams with experience advocating discovery challenges in courts across the country
  - Analytics professionals with legal backgrounds who tenaciously work to reduce data volumes and locate potentially relevant information quickly
  - Close coordination between matter attorneys and scalable review teams with experience conducting large-scale reviews, including reviews that have involved hundreds of custodians across multiple countries
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## **Clients of varying size and location**

- Public and privately held companies in the financial, energy, information technology, pharmaceutical, and healthcare industries
  - Fortune 500 companies
  - Data in North America, South America, Europe, and Asia
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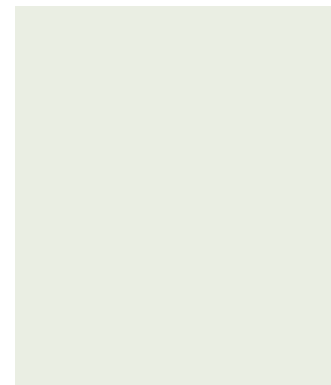
## **Nelson Mullins Encompass serves as e-discovery counsel for a broad range of litigation**

- Class actions
  - Multidistrict litigation
  - Global sales and marketing practices
  - High stakes commercial matters
  - Individual shareholder suits
  - Arbitration proceedings
  - Procurement issues
  - Government agency investigations
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## **Our in depth discovery and review counsel services help clients by**

- Providing advocacy to help right-size discovery saving both time and money
- Collaborating, without duplication of effort, with in-house clients and case counsel to bring consistency and e-discovery efficiencies to MDL litigation teams and cases

- Developing ESI protocol standard disclosures
- Conducting early case assessments to evaluate magnitude and risk, and to focus e-discovery efforts
- Utilizing TAR and review analytics where applicable
- Performing document review using advanced technology, strategic staffing, and predictable fee structures
- Implementing privilege log workflows for log preparation and defense
- Providing project management and quality control of the document review process to bring quality, consistency, and efficiency



## Why Nelson Mullins Encompass?

- Provide a streamlined approach from data center to courtroom
- Bring e-discovery advocacy and accountability to each matter
- Ability to advise on end-to-end e-discovery needs, including preservation, collection, processing, hosting, review, production, and advocacy
- Utilize analytics and TAR to deliver cost effectiveness and defensibility
- Cost efficiency and budget predictability

## Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

- **Discovery counsel for defendants in multidistrict litigation involving antitrust allegations.** We currently serve as discovery and review counsel to 16 defendants in a MDL involving antitrust allegations in the health insurance industry.
- **Data and integrated discovery counsel for cyberattack.** Nelson Mullins Encompass is discovery and review counsel in a data breach MDL for 13 companies facing hundreds of putative class actions related to one of the largest cyberattacks in history, with concurrent federal litigation, state cases, and congressional inquiries. Our representation includes advising clients on all phases of discovery; handling the complex, large-scale review and production; 30(b)(6) deposition preparation and defense; and coordination with law enforcement.
- **Discovery for manufacturer in multiple concurrent and related patent matters.** As discovery counsel for pharmaceutical manufacturer facing patent litigation in multiple federal courts, we had to review hundreds of thousands of documents for production. Each matter has distinct discovery parameters for scope, culling, production format, confidentiality, and privilege logs, requiring close management and tracking.