ECKERT SEAMANS

E-Discovery & Information Management

OVERVIEW

Clients rely on our attorneys to guide them through the ever-changing landscape of document production in litigation and the discovery of electronically stored information (ESI), otherwise known as e-discovery. Continuous advancements in technology means both the volume of information and the varieties of devices storing such data is rapidly growing. As a result, businesses are exposed to increasing legal risks and costs in identifying, preserving, collecting, reviewing and producing massive amounts of ESI. Eckert Seamans is adept at helping clients navigate these challenges as well as changes to the Federal Rules of Civil Procedure, which have further increased the demands of e-discovery on businesses involved in litigation.

Discovery mishaps can turn an otherwise meritorious case into a litigation nightmare. We counsel clients on issues relating to the preservation, collection, review and production of electronic evidence, both in the litigation context and as part of proactive business planning, including counseling on the design and implementation of systems and processes to ensure compliance with obligations arising from actual or threatened litigation while controlling costs and potential business disruption. Our firm-wide document review team at times exceeds 200 contract attorneys, and our e-discovery attorneys and litigation technology professionals work together to analyze metrics, workflows and new technologies to identify and implement opportunities to improve quality, efficiency and cost-effectiveness.

Our e-discovery team proactively helps clients ensure e-discovery issues are considered as they routinely manage corporate data. And when litigation arises, our e-discovery team helps clients find cost-effective ways of collecting, reviewing and producing documents and finding the documents that will help our clients win the case or achieve a favorable settlement. Working with our clients, our team creates a customized plan that takes into account the specific nature of the project matter at hand, the volume and types of electronic information involved, and confidentiality and security concerns, among other factors. We apply our experience to implement sophisticated protocols and methods including computerized systems for ESI, documents, written discovery and depositions.

Eckert Seamans' Electronic Discovery and Information Management team represents Fortune 500 companies and other clients in complex litigation and advise on e-discovery and information governance issues, including litigation readiness, policies and processes pertaining to the retention, preservation, search, review and destruction of ESI. We also advise on litigation response, including vendor selection, preservation, collection, search, review protocols, affirmative tactics for obtaining relevant information, technology assisted review (TAR), data privacy and security. In addition, we provide extended deposition and trial support for multiple complex litigations and oversee all phases of the discovery process.

We are responsible for numerous large scale e-discovery and document production projects for federal multi-district litigations and state court consolidated/mass tort actions, involving the production of tens of millions of documents and other data sources. We are also experienced in assisting clients in preserving, negotiating, and producing materials in response to federal and state governmental investigations, including U.S. Securities and Exchange Commission investigations.

Our attorneys are leaders in their field who are regularly invited to speak about issues relating to e-discovery and technology at major industry events throughout the country.

VALUE

Why choose Eckert Seamans for your e-discovery work? Working with Eckert Seamans means experience you can trust at an exceptional value:

- Experience with multi-million page document productions and the practical know-how to complete such projects in a timely, efficient and cost effective manner;

- Experienced attorney-reviewers who have continuously worked for Eckert Seamans on document/ESI projects for many years;
- Dedicated privilege review and “technical problem document” teams;
- A document review team assigned solely to the project. There are no distractions caused by the need to attend to other assignments or duties;
- Extensive foreign language experience;
- Familiarity with foreign electronic data privacy laws and their potential impact on document review and production;
- Eckert Seamans has made significant project support investments and we work with our clients on vendor selection and on design and development of the review database;
- Experience and contacts to rapidly establish a document review team and to ramp up or down as project needs dictate;
- Emphasis on team training, structure and oversight promotes efficiency, consistency of review, and useful work product for the litigation team; and
- Rates for experienced, project-dedicated document review attorneys are at the low end of the national range for paralegal support, saving clients millions of dollars on large review projects.

REPRESENTATIVE MATTERS

- Serves as national e-discovery counsel for major pharmaceutical companies involved in multiple multidistrict litigation (MDL), class action, and mass tort litigations, collectively involving the production of hundreds of millions of pages of documents. Responsible for all phases of e-discovery including initial planning, collection, review, and production as well as negotiations with opposing counsel on all e-discovery issues and court proceedings related to e-discovery issues.
- Serves as primary e-discovery counsel in large-scale projects for corporate clients involved in various national litigations, including consumer products, wage and hour class actions, civil antitrust litigation, patent litigation, and securities litigation.
- Serves as lead e-discovery counsel in responding to investigational subpoenas from state attorneys general, the Department of Justice, U.S. Securities and Exchange Commission (SEC) and other federal and state agencies.
- Serves as e-discovery counsel for clients in multiple industries in connection with internal investigations.
- Conducts, reviews, and analysis of documents in multiple non-English languages in connection with litigation involving transnational clients. Extensive experience with foreign data privacy laws applicability of same on discovery in US litigation.
- Counsels, develops, and implements plans for ESI preservation and collection for numerous clients of the firm.