

Technology assisted review in pharmaceutical patent infringement project.

Summary

A large generics pharmaceutical company was involved in a patent infringement lawsuit and required an extremely aggressive production deadline with a limited budget. Special Counsel worked with both outside and in-house counsel to prepare a robust review protocol, incorporating a TAR workflow to cull down the document universe.



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Opportunity

The client contacted Special Counsel after they received an aggressive court imposed deadline for documents production. In an effort to minimize review costs and meet the aggressive production deadline, our client wanted to leverage our managed review services using a technology assisted review workflow. Special Counsel engaged an eDiscovery technology partner and we delivered a joint presentation for how we would conduct the review. Our team was ultimately selected over several other vendors in consideration.

Business Challenges

- Extremely aggressive production deadline
- CFO mandate to reduce litigation costs
- Client needed to cut costs from its past reviews and clearly stated they needed to see a reduction in billing from their outside counsel

- Client read enough articles about the costs savings related to TAR workflows and wanted to try it out themselves but did not have the in-house experience
- Client wanted to see their own successful results from using machine learning predictive technology on conjunction with a managed review workflow utilizing contract attorneys

Our Solution / Outcomes

By using a TAR workflow to cull the dataset down from 87,676 to 26,303 documents, Special Counsel allowed the company to save 68% in costs when compared to a full review of 87,676. This amounted to a savings of \$60,000 for the document review team. Further the document review team completed the review three weeks earlier than anticipated. In order to achieve these results, the Special Counsel project manager worked with outside counsel and the client's in-house counsel

to prepare a review protocol and structure the coding panel within the review tool. During the early stages of the review, our project manager implemented a thorough quality control workflow and redaction workflow. The first level review, second level quality control workflow, and the redaction workflow were all moving forward simultaneously. All of the documents were reviewed; over 4,000 redactions were completed; and 20% of the document universe was reviewed on 2nd level for quality control purposes. The review was completed on time and within the client's tight budget constraints. The client was extremely satisfied and has since become a regular business partner with Special Counsel.

Key Metrics / Fast Facts

- Review Team Size: 1 Project Manager and 10 contract attorney reviewers
- Location: Minnesota Turnkey Legal Center with the Project Manager managing the team remotely from New York
- Duration of Project: Approximately 2 weeks
- Total Docs Reviewed: 87,676 in the document universe, but with the help of TAR the team only reviewed 26,303
- Savings in Dollars: \$60,000 when compared to a traditional document review (On average, Special Counsel is seeing their clients 65-72% when leveraging TAR workflow with contract attorneys vs. a traditional document review.)
- Savings in Time: Complete review 3 weeks earlier when compared to a traditional document review

