

eDiscovery Expertise for Construction & Infrastructure Project Disputes

fact sheet

Specialised eDiscovery expertise, tools, and supportive processes for construction & infrastructure matters

- Forensic analysts that provide collection support for all diverse source types
- Locations across the U.S. and in Europe with a deep bench of experts to assist with more effective searching
- Highly experienced in working with challenging and proprietary file types during processing and review



DISCOVER THE
Consilio Complete
EXPERIENCE

Complete *Data*

Complete *Connector*

Complete *Review*

Complete *Intelligence*

Complete *Media*

Complete *Enterprise*

Complete *Security*

Complete *Flex*

Learn more at:
uk.consilio.com/complete

Whether it is a UK construction litigation running in the Technology and Construction Court or an International Arbitration held in any jurisdiction, Consilio understands that the document management and eDiscovery needs are very unique for this type of matter.

Challenges Faced

Timeline & Duration of Relevant Documents

Often the date range of interest will span many years which causes challenges including:

- Large document volumes
- Custodians changing roles over time (or no longer being with the business)
- Data stored on backup tapes or legacy systems
- Custodians working on many projects, causing a challenge in devising accurate keywords

Complex Document Types

Commonly the types of documents relating to a construction dispute cause legal review challenges including:

- Drawing files (CAD) and other custom programs such as engineering files which are notoriously difficult to review without the right tools
- Documents that are unable to be keyword searched but may be relevant to the dispute, including drawings, photographs and scanned letters
- Hard copy files that need to be reviewed and compared against the electronic files held

Electronic File Storage

Construction firms range significantly in their processes for storing electronic documents. We often see the following challenges in retrieving electronic files relating to a dispute:

- When executing a project, custodians do not often use a unique project reference when sending emails. For example, the custodian may email about “glazing” on a particular project, but a keyword search for “glazing” on their inbox may return all emails relating to glazing on all projects, returning many irrelevant documents (as well as many relevant documents)
- Large firms utilise construction project and document management databases which store electronic documents. Whilst powerful tools in many ways, these systems are not often compatible with legal review, with limited search capability, inability to redact and limitations on workflow such as capturing legal work product and production of documents
- Electronic files can be stored in many locations including databases, shared network storage, personal computers and on removable storage media which causes challenges in isolating and gathering all documents of interest

By the Numbers

5,400+

Team Members, including
eDiscovery, Cybersecurity,
Data Forensics & Compliance
Risk Assessments Experts

70+

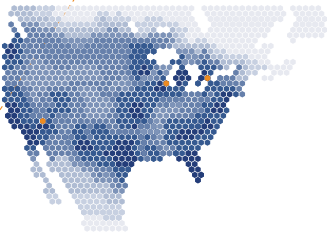
Regions with Consilio
Presence **Spanning**
11 Countries



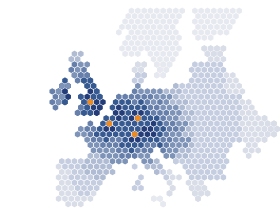
Global Leader in Legal Consulting and Services

uk.consilio.com

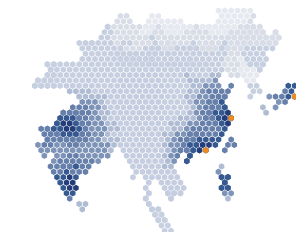
Where we are:
North America



Europe



Asia Pacific (APAC)



5,400+

Employees
Worldwide

20+

Countries Worldwide
with Staffed Review
Professionals

31+

Languages Covered
in Review Projects
Globally

15+

Data Centers
Around the World

CASE STUDY:

ECA on a Large Oil and Gas Project Dispute Saves Client £50,000

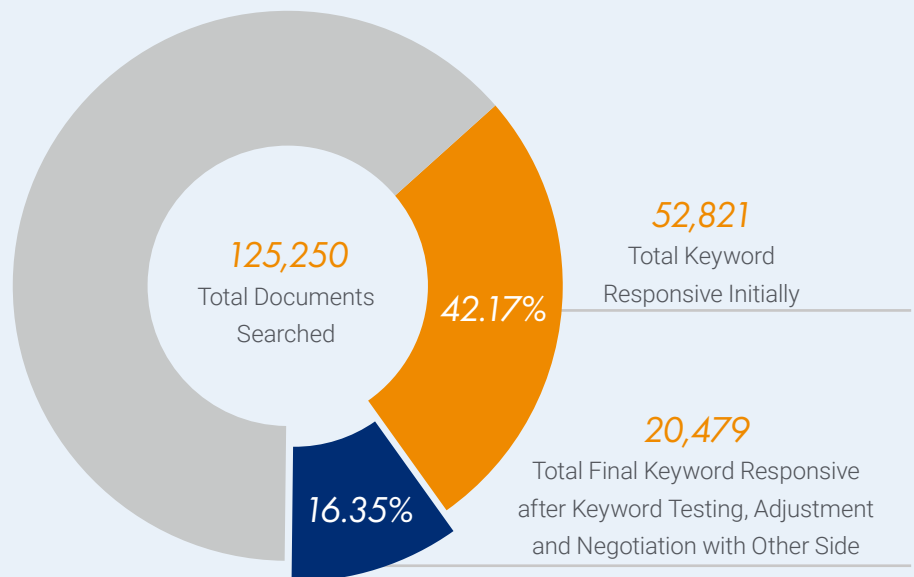
Consilio was recently engaged to assist with Early Case Assessment on a large Oil and Gas Project dispute. Consilio experts assisted to build keyword search and custodian collection strategies and assisted with negotiations regarding the same.

On this matter our work enabled the client to negotiate changes to keyword terms that resulted in over 25% more documents not needing to be reviewed, saving substantial cost. Our client said about our consultancy advice that "the conclusions drawn are absolutely perfect and exactly what we needed" and that "for every hour of consultancy time spent, we saved our client over 20 hours of review time".

The Result:

£50,000

Approximate Review Cost Saving²



¹ Keywords suggested by the other side included a significant amount of false positives and unnecessarily inclusive keywords.

² Based on a review rate of 60 documents per hour at a review cost rate of £100 per hour.

Our Solutions Include:

Early Case Assessment – Consilio offers a low cost early case assessment solution for construction eDiscovery matters which provides:

- Data Mapping of a Firm's IT infrastructure to help isolate relevant file locations
- Taking a sample of key custodian files (such as emails) we can tell you:
 - What file types are likely to exist and to what extent certain files can be disregarded or would require bespoke review strategy
 - What organisations your custodians frequently contacted – allowing you to build early strategies to isolate or cull out communications that are irrelevant

Ready to Learn More?

Visit uk.consilio.com or email info@consilio.com

- Date range analysis – telling you if there are any key gaps in the data held, or identifying any key periods of interest
- The likely responsive rate of suggested keywords before they are agreed
- If other project names exist in your data set, allowing you to build more sophisticated keywords that ensure your keywords do not hit on irrelevant projects

eDiscovery Consultancy and Expert Advice – Consilio’s team can assist you with:

- Completing court required documentation such as Electronic Documents Questionnaires and TeCSA Protocols.
- Negotiating electronic exchange protocols and strategy that take into account keyword and review strategies tailored to a construction style dispute.
- Building search terms, setting up workflows and producing documents to respond to Redfern Requests
- Delivery of internal training on electronic document challenges such as:
 - How do backups work?
 - When is it disproportionate to restore data from backups?
 - Advanced review techniques using data analytics including predictive coding for construction matters.

End to End Document Management Services – Consilio is a full service eDiscovery firm that can support a matter from start to finish including:

- Forensic preservation and collection of electronic documents
- Collection from and integration with construction document management systems
- Scanning paper files for review and production
- Fast insights into a document set – where document volumes and deadlines mean that you need answers fast
- Expert advice and consultancy in all aspects of eDiscovery strategy including building search and disclosure strategies to comply with the menu of options including both standard disclosure and issues based disclosure
- Hosted document review technology (Relativity) that facilitates advanced searching, data analytics, fast document review including complex file types as well as production (disclosure or paper bundles)
- Managed Document Review services at a low cost to assist culling large volumes of documents for legal experts to review
- Hard Copy trial or arbitration bundle preparation – fast, accurate and on-time

Ready to Learn More?
Visit uk.consilio.com or email info@consilio.com