

## AN INSIGHT PAPER FOR LITIGATION SUPPORT VENDORS

# litigation support vendors

As litigation support vendors from around the world deal with the impact of a weakened economy on their business, a proactive response to driving down costs, creating value and achieving client loyalty are all key to success.

This Nuix Insight Paper discusses five strategies that litigation support vendors can adopt to gain the competitive edge.

There is intense pressure to improve operational performance and process more data faster and with less labor, cost and overhead. Some vendors are almost giving work away to stay in business. There is also an emerging opportunity for smaller litigation support providers to harness technology to take market share from their larger competitors.

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# → litigation support vendors

Here are five ways litigation support vendors can harness technology to give them the edge over their competition.

## 1. Improve Your Responsiveness

In today's competitive market, vendors are striving to process data and provide "answers" back to clients in record time. Whether it's large scale processing or an obscure investigative request, the secret is to be able to respond quickly and deliver results.

It is quite common for a client to call with a somewhat unspecific request, for example:

"I have 80 gigabytes of emails and office documents from a couple of key custodians. Can you do something with it? What can you do with it? How fast can you do it?"

Depending on your software partner and technology capabilities, there is a wide range of options in what you can or cannot offer to your client.

In a traditional workflow scenario, a vendor could run it through their software process to generate some reports, apply some search terms, date filter, dedupe and provide TIFF and load files by the end of the week.

With the power and capabilities of a Nuix platform, you can produce an array of useful reports within five hours, including:

- an extension report
- a breakdown of all of the file types and their frequency
- a duplicates report (the number of duplicates and their relative size)
- an email communications report
- a foreign language report
- a word count report (list of every word that occurs in the dataset and its frequency)
- a hit count report (based on your search terms and a listing of all of the items that matched the queries)
- any custom report through Nuix's powerful scripting API.

Within eight hours you can deliver load files including full text and natives.

In the same way, a client may have a terabyte of Exchange EDB files and need them processed, searched, culled, and ready for upload into a native review platform by the end of the week. Whether you can do it depends on your technology partner.

For most organizations, EDB files must first be restored. Because Nuix can directly process EDB files, you eliminate the PST creation step and directly target the EDB files themselves. Nuix can then target the entire collection of data. With Nuix's scalable architecture and parallel processing capability, you could point four dual quad core machines at the data set and have it processed in 10-12 hours. With these same machines Nuix can export up to 108 gigabytes of native files per hour.

## 2. Increase Your Flexibility

Given the ultimate goal is to become an extension of your client's litigation team, and one who offers "real solutions", then one of the keys to achieving success is to become flexible. That means never saying "NO" to a challenging deadline and never having a delay because of difficult data.

Increased flexibility requires choosing the right technology partner with a proven track record who compliments your in-house expertise and fits well into your existing workflow.

It's no secret that both legal and corporate clients can make unusual and demanding requests. As a recent example, one Nuix Litigation Support Vendor (LSV) customer shared the story of a law firm who came forward with a list of 100 search terms, multiple custodians, with the ambition of trying to figure out what someone was thinking, including the events that transpired leading up to and during the thought process. This was truly an "Early Case Assessment" opportunity at its best. To complicate matters, the law firm had limited experience with technology and no real understanding or ability to solve this challenge in a timely manner. By combining their in-house expertise with Nuix's powerful search capability and analytical toolset, this LSV took on the unusual request and delivered a viable solution back to the client within hours (instead of the expected days).

If you want to be a valued member of your client's team, you need to put your firm in a position to meet their every request. Being flexible also means having the technology capability to process PSTs from Chicago on one day and Lotus Domino data from China on the next. Nuix's breadth of supported file types, simple user interface and powerful automation capabilities put you in that position.

### 3. Leverage Your Expertise

The skill of the team is what makes you successful, but your technology partner is a critical factor in enabling you to leverage that expertise to its full potential.

The expertise on your team must extend far beyond IT, to a plethora of areas such as how the legal system works, implications of the FRCP and its various amendments and advice on good practice and process. With the right breadth and depth of expertise and superior technology, your software will slot seamlessly into your process, as opposed to being the process!

Nuix's extensive capabilities and ease of use combine to allow your team to focus on solving your customer's problems, not on manipulating a complex software product. Nuix software's flexibility, speed and scale matches brilliantly with highly skilled litigation support vendors and advisors, to enable all of the processing, investigation and export capabilities you rely on.

### 4. Expand Your Scalability

We all know that data volumes are continuing to increase and the market has evolved in the last few years from the gigabyte case to the terabyte case. Before long people will be talking about the petabyte case, which is going to be a struggle for vendors without the ability to scale in an affordable way.

For most organizations, whether large or small, the infrastructure you have in place provides an artificial ceiling on what you are able to do for your clients. It isn't feasible to invest in new licenses in order to bid on larger opportunities, or deliver something in a faster time frame.

Unless, that is, you have Nuix as your technology partner. With a Nuix platform, as well as a modest hardware investment, any litigation support vendor can scale up to compete on the largest opportunities.

For example, a hardware investment of US\$15,000, coupled with your Nuix license, will enable you to complete processing of up to 850 gigabytes of data per day with similar load production rates. If you make that hardware investment again, you can turn 1.7 terabytes per day. Nuix's architecture and efficient use of hardware mean that any size of firm can tackle any size of job. And the investment can be recovered in a matter of days.

### 5. Extend Your Scope of Services

As traditional litigation support vendors, forensic examiners and consulting firms all jockey for position in the litigation support marketplace, each is faced with the same problem – client acquisition and retention. The problem for litigation support vendors is that you are usually hanging at the very end of the value chain and for most, your software restricts you to processing data (because that's all you can do with it).

With Nuix as your technology partner, you can move up the value chain by starting to play a more consultative role. For example, you can become a central part of enabling early case assessment on your client's premises. By equipping one of your consultants with a laptop loaded with Nuix software, they can go to your law firm client, sit down with the attorney, index a couple of gigabytes of PSTs in an hour and be a genuine part of the case team. Similarly with a corporate client, by participating early in the case, you're not only more likely to play the role of trusted advisor, but you are more likely to end up with the downstream work.

Here are few ways that litigation support vendors who use Nuix are currently able to extend their client services:

- End the guesswork associated with picking search terms – index the key custodians' PSTs in short order and then, instead of guessing which words are relevant, look at the data in real time, review the word count report and help your client make decisions based on fact.
- Allow your client to play the 'what-if' game and let them see search results in real time.
- Build a 500 query list and run it across the data set, marking the hits, and generating a hit report.
- Take the results of the initial strategy session and then divide up the review for a quick first pass review.

Nuix allows all of these operations to be performed with a single consultant's laptop and without ever having to send the data offsite.

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**2. Increase Your Flexibility**

**3. Leverage Your Expertise**

**4. Expand Your Scalability**

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## ABOUT NUIX

Nuix has spent the past nine years developing and refining the world's most advanced eDiscovery and electronic investigation software. Nuix revolutionizes the way government and private organizations investigate electronic information, improving simplicity and accuracy and slashing the time and cost of investigations by more than 80%. Nuix customers include all major advisory firms, litigation support firms, state and federal government departments, regulatory and security agencies, police and anti-corruption bodies, financial institutions, corporations and law firms.

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