Using Concept Search to Find a Smoking-Gun Document

Situation: A senior lawyer at a Denver law firm, was in the final preparation for trial and feared that he was missing documents that would prove or disprove that inappropriate distributions had been made to a business partner. Representing the other partners contesting the distributions, the lawyer had assembled nearly 40,000 documents from various sources and discovery, and loaded the items into the OrcaTec Document Decisioning Suite™ application offered by Xpriori, LLC, a partner and value added reseller of OrcaTec.

The data had been loaded to the Suite several months before. In the earlier stage of the case, the application had been used in preparing responses to Requests for Production, initial privilege review and for case analysis. It was determined to keep the data loaded to the Suite in case further review was required in connection with trial preparation. Now, the job was to find a series of documents that he suspected to be determinative to be included in the final trial materials.

Using the advanced Concept Search features of the OrcaTec product, he located the decisive document within a few hours – an email with an attachment. He merely did a Concept Search using the name of the offending partner. The time line and communication thread graphics enabled him to quickly identify the time frame of communications and the communication patterns. Not only did he identify the document, he was able to put it in the correct context.

Once this 'smoking gun' document was found, two phone calls led to the settlement and dismissal of the case. The opposing counsel had failed to identify the document. A multi-year case was resolved.

RESULTS:

1. The Document Decisioning Suite™ provided cost effective results in a smaller document case.

   "I am a strong believer in Technology Assisted Review, even in cases with fewer than 100,000 documents," said the reviewing attorney. "The Concept Search and associated graphical displays led me to the decisive documents in time to avoid a costly trial. The client was ecstatic. Xpriori has met my needs and produced results for many years, and we definitely saved money and time by using their products and services. The addition of the OrcaTec Suite has enhanced Xpriori's capabilities. The Concept Search and advanced search features were critical to the resolution of the case in question."

2. Maintaining the documents on the hosted system for later use in trial preparation was cost effective and enabled settlement of the case.

3. Deploying the Document Decisioning Suite™ enabled Xpriori to enhance its relationship with a long standing and referential client.

   "Since adding OrcaTec's Document Decisioning Suite, we have been helping firms both with first pass review and later content review with great success. We'll have more successes to announce in the near future," explains Tim Dix, Xpriori's CEO. "Our partnership with OrcaTec, coupled with our expanded service and product offerings is gaining traction in the market."

   Xpriori is a partner of OrcaTec and value-added reseller of its OrcaTec Document Decisioning Suite™. The suite includes predictive coding, concept search, clustering and other advanced eDiscovery features and no extraordinary training costs and time are required.

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