

KordaMentha



eDiscovery solutions

Scalability. Security. Advanced analytics.

kordamentha.com



Scalability. Security. Advanced analytics.

Unlocking the true value of eDiscovery cloud-based solutions.

KordaMentha's Forensic Technology team is a market leader in applying our depth of knowledge to help clients in the collection, management, analysis and production of electronically stored information (ESI) for litigation, investigation, compliance and regulatory purposes.

In our experience, most eDiscovery platform implementations only unlock 'out of the box' features and limited analytic capabilities. eDiscovery technology is rarely fully utilised by users who, understandably, struggle to leverage the full potential from sophisticated platforms without proper training and guidance. We use our expertise to help clients close the gap between the 'out of the box' value of eDiscovery platforms and the potential value that is available.

KordaMentha provides implementation support (including workflow and process redesign, user training and customisation) to ensure the potential value of a discovery platform is fully unlocked. We also provide the option of additional proprietary services to further tailor eDiscovery technology to meet your specific needs.

Data security is a growing concern for our clients. We were early adopters of cloud-based eDiscovery platforms and were Relativity's launch partner for RelativityOne in Australia. RelativityOne is built on the Azure cloud platform, and Relativity's dedicated Calder 7 security team provide real-time protection of our client's data. Similarly, Nuix Discovery is built on the AWS cloud platform and is Australian Government IRAP certified to a 'protected' level.

Additional layers of security are provided by the expertise our Forensic Technology team has in digital forensics and cyber security.

What makes us different?

Our client relationships are not an ad-hoc, one-off arrangement, but based on deep and trusted partnerships that offer the client the reassurance of ongoing support and knowledge.

As the volume and diversity of electronic data being created skyrockets, there has never been a more urgent need to leverage the very latest technology to efficiently process, analyse and review this data. We have helped many clients with their data over the years and while similar themes emerge in each engagement, we understand that every client has different needs.

The skill, of course, is in establishing the most appropriate workflow that best leverages technology so relevant information is identified as quickly and cost-effectively as possible. We then support clients on a continuing basis, offering knowledge and insight, to help them gain the most from our eDiscovery solutions.

How we work with clients

We work side-by-side with clients to plan, manage and deliver effective discovery advice and solutions, including early case assessment, to significantly reduce the time and cost traditionally associated with discovery.

Accurate results We have the capability to accurately and efficiently search, locate, consolidate and organise electronic evidence in engagements of all sizes. We ensure that data is collected and preserved in a legally defensible manner, whether it is electronic data from laptops and servers or cloud-based or mobile data.

Best in class eDiscovery platforms eDiscovery platforms can be daunting for clients, and without proper guidance on the right processes and workflows to extract the data, clients can feel lost in a highly technical maze. We select the best eDiscovery platform to suit our clients' bespoke processes — whether it be RelativityOne, Nuix Discover or an alternative platform.

Flexibility We know that large, complex discoveries require agile thinking and flexible delivery models. We start each engagement by outlining the insights that clients are hoping to extract from the data, then draw from our wide range of tools to select the best processes for that particular engagement. Our service can be tailored, as needed, to include data collection, processing, review, analysis and presentation of the findings.

Managing complexity ESI is moving beyond email to other forms of digital communications, such as text messaging, social media content and internet of things. Despite inherent challenges, the insights gained from these alternative sources of ESI are driving an increasing reliance on them for litigation and investigative purposes. Clients rely on us to find the relevant data in the proliferation of data types.

We bring a structured approach



Case studies

eDiscovery for regulatory investigation

Outcomes and benefits delivered

- More than 130,000 documents reviewed in less than 10 days.
- Presented investigators with a limited set of only potentially relevant documents to focus on.
- Identified information within the first two days of the review which significantly changed our client's understanding of the matter and enabled them to focus the investigation in the right direction.
- Continued ad-hoc support provided to the investigation team through the remainder of the investigation.

Background

Under regulatory scrutiny in response to allegations of misconduct and bribery, a large multinational company commenced a global project to improve their internal compliance framework and assessment of overall operations. Several suspicious communications were discovered involving the company's Australian operations which required immediate investigation. The urgency and sensitivity of the matter increased due to the company working on classified government contracts. KordaMentha was appointed to assist with the structured review and discovery of the relevant documents.

Approach

We collected more than two terabytes of data and processed it through one of our eDiscovery platforms. The initial triage refined the dataset using advanced analytics, such as email threading and data deduplication, and assessments to identify any items that could potentially be categorised as 'private' or 'classified'. Using various criteria, we then identified which documents needed to be reviewed and transferred them to a review workspace to leverage Technology Assisted Review (TAR) – a feature using machine learning to speed up document review.

Our experienced Managed Review team were assembled in our secure operations room and briefed on the matter by the client. The team commenced each day with a status briefing and concluded with an update to the client. Throughout the review we actively monitored the TAR process to maintain quality and rectify any inconsistencies.

Employing technology and AI to manage culture compliance

Outcomes and benefits delivered

- Our review platform and analytics revealed a clear, previously unseen picture of individual employees' inappropriate behaviour.
- The HR department was equipped to take disciplinary action against several employees, dismissing some and also addressing cultural issues within the company.
- A benchmark for future analysis was set, enabling the company to assess cultural improvements or deterioration.

Background

The human resources department of a superannuation company had become concerned that a sexist and gambling culture existed among certain employees.

Based on the findings of an investigation into another issue, the HR department commenced a review of a former senior employee's emails and became concerned about inappropriate email discussions relating to gambling and 'punting' clubs. The electronic communications of other employees were also reviewed by the HR department, revealing significant use of sexist language and the existence of gambling conversations among certain employees. The company was then faced with the difficult issue of how to assess, review and act upon this information.

Approach

We captured, processed and presented the large volumes of electronic information clearly within a user-friendly platform, which enabled the company to easily review emails and instant messages and perform other detailed analysis.

Using the data, we developed a dictionary of terms and phrases on which further detailed searches could be conducted to detect inappropriate communications regarding:

- sexism
- fraud
- gambling
- other inappropriate behaviour.

Our team ran the analysis and reported on the communication type, whether the communications were internal or external, and who was involved.

We presented the documents and analysis to the HR department, enabling them to understand both the high-level trends and the detail of the individual communications to understand the context in which this inappropriate language was used.

Technology Assisted Review identified critical documents for Arrium

Outcomes and benefits delivered

- Collection of over 100 terabytes of data.
- Data volume was distilled down by over 90%.
- Customised objects and workflows were built into the platform to assist in management of the matter.

Background

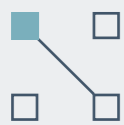
This matter required a large multi-site identification, preservation and collection from a complex corporate network resulting in excess of 100 terabytes of data. After performing early case assessment, the data volume was distilled down by over 90%.

Approach

Given the large volume of documents, we used a combination of concept clustering and TAR to identify a small set of critical documents that were allocated to the legal review team in preparation for expected litigation. We also leveraged the flexibility of the eDiscovery platform to develop a custom workflow and matter management dashboards to allow us to track the progress of the review and identify potential issues before they arose.



How we can help you



Collection

Our involvement in the eDiscovery process begins long before the technology platform is introduced, as we ensure that data is collected and preserved in a legally defensible manner, whether it is electronic data from laptops and servers or cloud-based or mobile data.

We start each engagement by outlining the insights that clients are hoping to extract from the data. Then, drawing from our wide range of tools, we select the best processes for that particular engagement to ensure the required information is identified as quickly and cost-effectively as possible.



Processing

Having selected the best eDiscovery platform to suit our clients' bespoke processes — whether it be RelativityOne or Nuix Discover — we begin the task of filtering large quantities of material and documents into a small pool of insights, removing irrelevant data as we proceed.

As we have vast experience with eDiscovery platforms, we know how to customise and extend the capability of the technology so the telling detail is not lost and the client is confident they are not wasting time wading through irrelevant data.



Analysis and review

We rely upon standard workflows, or templates, that can be matched to our clients' needs, but we also use third-party tools and focus on leading-edge analytics and machine learning solutions for increased efficiency and insights.

Data analytics and visualisation software helps reviewers to organise and analyse big data quickly and efficiently gain insights. Analytics also drive down cost and will increasingly become a standard feature in document review.

Where necessary, we also build our own tools, visualisations and plug-ins for use in cases, such as sentiment analysis and hyperlinking, to ensure the data searching is directly matched to clients' needs.



Custom workflows and applications

There is significant opportunity to close the gap between 'out of the box' value and potential value. Most discovery platform implementations only unlock 'out of the box' features and have limited analytic capabilities. KordaMentha can provide implementation support (including workflow and process redesign, user training and customisation) to ensure the potential value of a discovery platform is fully unlocked. We also provide the option of additional proprietary services to further extend the value that can be achieved.



Managed service agreements

Rather than clients having to choose between self-hosting the eDiscovery platform on their own or outsourcing the hosting and management to a service provider, we offer a middle-ground solution that empowers clients to manage their data cost-effectively, while drawing on our years of eDiscovery experience.

We can securely centralise and segregate the data via a client domain, and the client can act as administrator. This allows the client to engage with the back-end of their workspaces. KordaMentha can step in when the volume of data is overwhelming, or to customise a platform and improve workflow processes.



Data security

Our clients' data is protected by integrated, world class security systems, overlaid with rigorous compliance and controls. Providing comprehensive data compliance reporting also enables our clients to understand at all times where their data is stored, who is accessing it and how it is being used.

We manage data security according to ISO 27001 information security standards.

The security of the platforms we use is exemplary. Nuix Discover is among the most secure document review platforms in Australia having completed assessment under the government Information Security Registered Assessors Program. Relativity has 50+ security certifications and 24/7/365 security monitoring and real time corrective action to anticipate threats, mitigate risks, and stay ahead of adversaries.

“I have appreciated your consistent professionalism, technical expertise and problem solving ability. Despite all of the challenges, it has always been a pleasure to work with you all. That speaks volumes.”

Chief Legal Officer

Key contacts

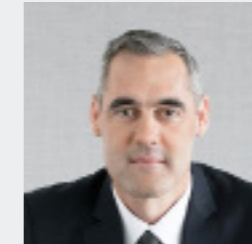
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