







Save Yourself from eDiscovery Hell

How Instant Discovery Is Transforming the Legal Profession's Approach to Data

Chris Rauen, Senior Customer Success Manager
March 8, 2018

Agenda

-  Data Growth and the Modern Legal Practice
-  eDiscovery's Risks & Hidden Costs
-  Welcome to eDiscovery Hell
-  Salvation Is in the Cloud



DATA IS EXPLODING

2.5 Exabytes/Day
(~75 trillion pages worth)

“Ninety percent of the data in the world today has been created in the last two years alone.”

– IBM Data Analytics, 2016

REPORT SCIENCE TECH

This startup uses machine learning and satellite imagery to predict crop yields

Artificial intelligence + nanosatellites + corn

By Alex Brokaw | Aug 4, 2016, 10:22am EDT



SHARE



The Fourth Amendment and access to automobile 'black boxes'

By Orin Kerr March 30, 2017 [Email the author](#)

Most cars manufactured in the past three years come with event data recorders, sometimes known as “black boxes.” These devices are computers that record and store crash data in the event of an accident. Under [regulations](#) adopted by the National Highway Traffic Safety Administration, the event data recorders must record 15 data inputs. They include engine rpm, steering, the length and severity of the crash, and the braking during the crash. The data on the devices are intentionally difficult to access. Doing so generally

EXCLUSIVE

Amazon Echo and the Hot Tub Murder

By [Tom Dotan](#) and [Reed Albergotti](#) Dec. 27, 2016 7:01 AM PST • Comments by [Danny Sullivan](#), [Jordan Elpern-Waxman](#) and 4 others

Be careful what you say around your Amazon Echo. Your words may be recorded and used against you in court.

In what may be the first case of its kind, police investigating a murder in



INJURED

The FindLaw Accident, Injury and Tort Law Blog



How to Collect Video Evidence for Your Injury Case

By Brett Snider, Esq. on August 6, 2014 7:10 AM

Video evidence of your injury may be the smoking gun that wins your case. However, just because a video recording exists of your lawsuit-worthy incident doesn't necessarily mean that you'll always have access to it for your case.

Video recordings can be taken by cell phones, police dashcams, and even private businesses' security cameras. But you'll likely need legal help in order to get access to them.

Here's a brief rundown on how to collect video evidence for your injury case:

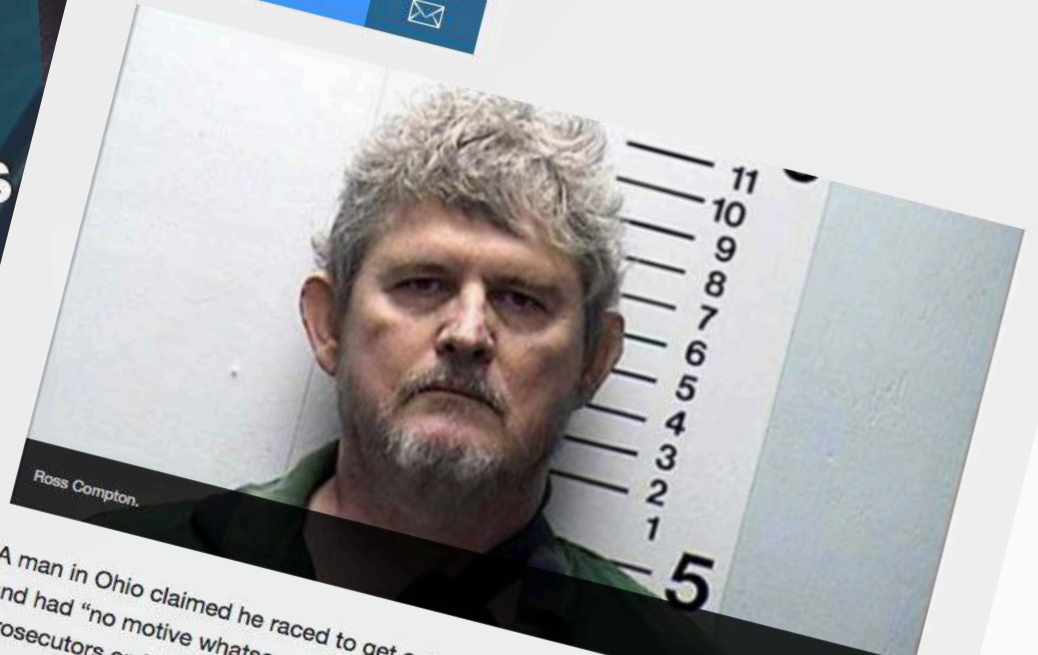
Subscribe



CRIME

Telltale heart: Pacemaker data leads to arson, fraud charges

Published February 08, 2017 · Fox News



Ross Compton.

A man in Ohio claimed he raced to get out of the state and had "no motive whatsoever" for the crime, prosecutors on Tuesday said.

Closing the loop
PRESENTED BY
logikcull

logikcull

Get Started

iPhone Data Becomes Key Witness in Murder Trial

By Casey C. Sullivan | 24 January 2018



READ POST

CLOUD

Your documents
Your emails
Your chats





NOW, EVERYTHING IS DISCOVERABLE



Where does this leave today's legal professionals?

Discovery3.0: Paper+Email+Docs+Cloud



Drone
Data?

Self-driving
car data?

IOT?

AR/VR
metadata?



Paper

E-Docs

Cloud. 2.5 Exabytes PER DAY!

logikcull

DISCOVERY DEADLINES DON'T CARE ABOUT YOUR DATA PROBLEMS

20 days

Response time for FOIA responses

30 days

Response time for civil litigation

ASAP!

Response time for internal investigations & due diligence projects

AND THE OLD DISCOVERY PROCESS **CAN'T** **KEEP UP**

2 - 4 days

To get data loaded for search

1 day

Ship data

+

2 days

Process data

+

1 day

Load data

+

Weeks

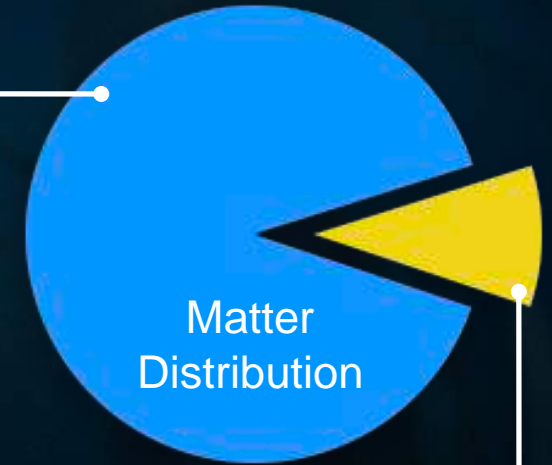
Review data

+

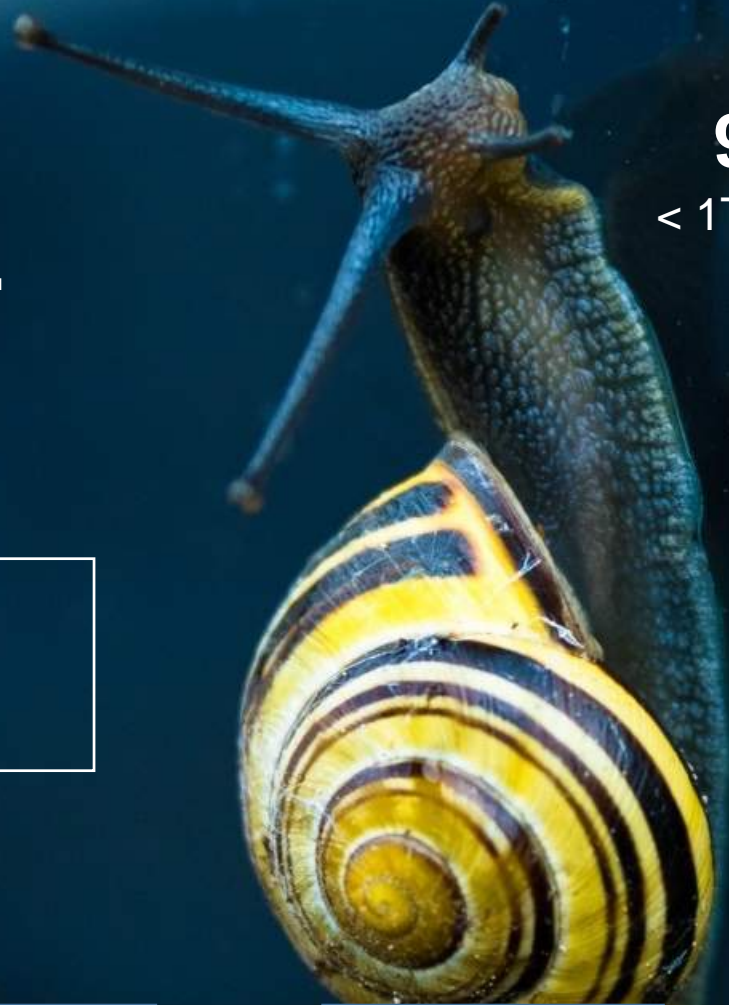
2 days

Share data

90%
< 1TB in size



10%
> 1TB in size





AND EDISCOVERY SOFTWARE
WASN'T DESIGNED FOR THIS

125 Pages
User manual for #1 product

The New York Times

Wells Fargo Accidentally Releases Trove of Data on Wealthy Clients

By SERGE F. KOVALESKI and STACY COWLEY JULY 21, 2017

According to the Times, the production included:

- 1.4 GB of files
- Customer names and Social Security numbers
- Financial details, including investment performance information
- Financial information for 5,000 individuals
- Information on specific investments "all laid out in vivid detail"

DISCOVERY



When a lawsuit for Gary Steinbock, a former Wells Fargo employee, subpoenaed the bank as part of a defamation lawsuit against a bank employee, he said Mr. Steinbock requested to receive a collection of emails and documents related to the case.

The email linked to Mr. Steinbock's lawsuit on July 6 was for a report that the lawsuit had asked for. Wells Fargo had turned over — by accident, according to the bank's lawyer — a vast trove of confidential information about tens of thousands of the bank's wealthiest clients.

“ In an email response, Ms. Turiano described the disclosure as “inadvertent,” and wrote, “Obviously this was done in error and we would request that you return the CD asap so that it can be properly redacted.” ”

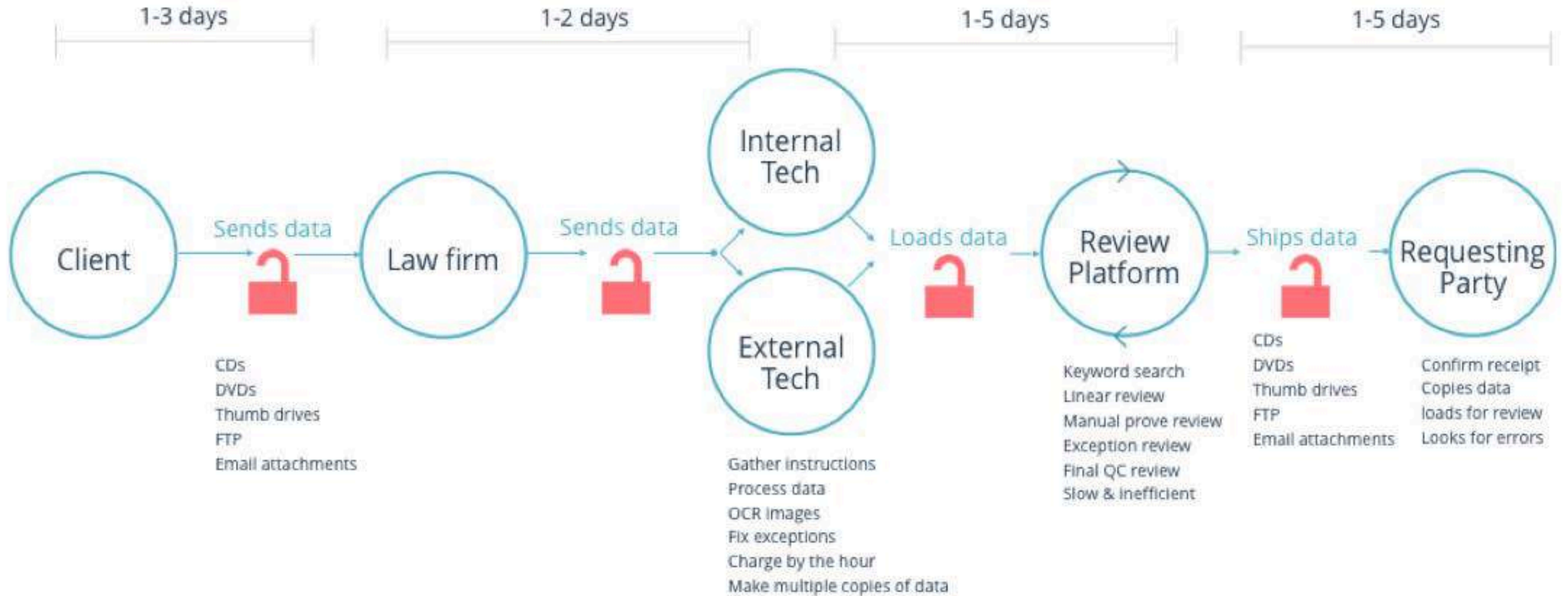
Wells Fargo Data Breach (July 2017)

- Attorney for subpoenaed party accidentally disclosed “copious spreadsheets with customers’ names, SSN#, financial details...”
- No confidentiality agreement or protective order
- Receiving party took information to the New York Times
- Attorney testified that she misunderstood discovery software → reviewed only a small subset of total docs that appeared in doc viewer
- Thousands of docs unreviewed, files flagged for redaction were not redacted

How the typical discovery process works

“Data is most at risk when it’s on the move.”

- FCC Cyber Security Planning Guide



Get it wrong and there's a price to pay

Angry Clients

Reputational Damage

Professional Discipline

Sanctions

'Churn that bill, baby!' email surfaces in fee dispute
DLA Piper
BY MARTHA NEIL
POSTED MARCH 25, 2013, 8:54 PM CDT

An Attorney Acting 'With a Pure Heart and An Empty Head' is Sanctioned for Spoliating Emails
By Kathryn Cole on May 24, 2017

Closing the loop
PRESENTED BY logikcull

2nd Cir. Upholds \$2.7M Discovery Sanction — in \$20k Case
By Casey C. Sullivan | 14 February 2018

Closing the loop
PRESENTED BY logikcull

Chevron's \$19 Million Discovery Bill Could End Up on Environmental Lawyer's Tab
By Casey C. Sullivan | 22 June 2017

Litigation Ethics & Professionalism
Home > Ethics & Professionalism > Articles
California's New E-Compete

Discover Malpractice

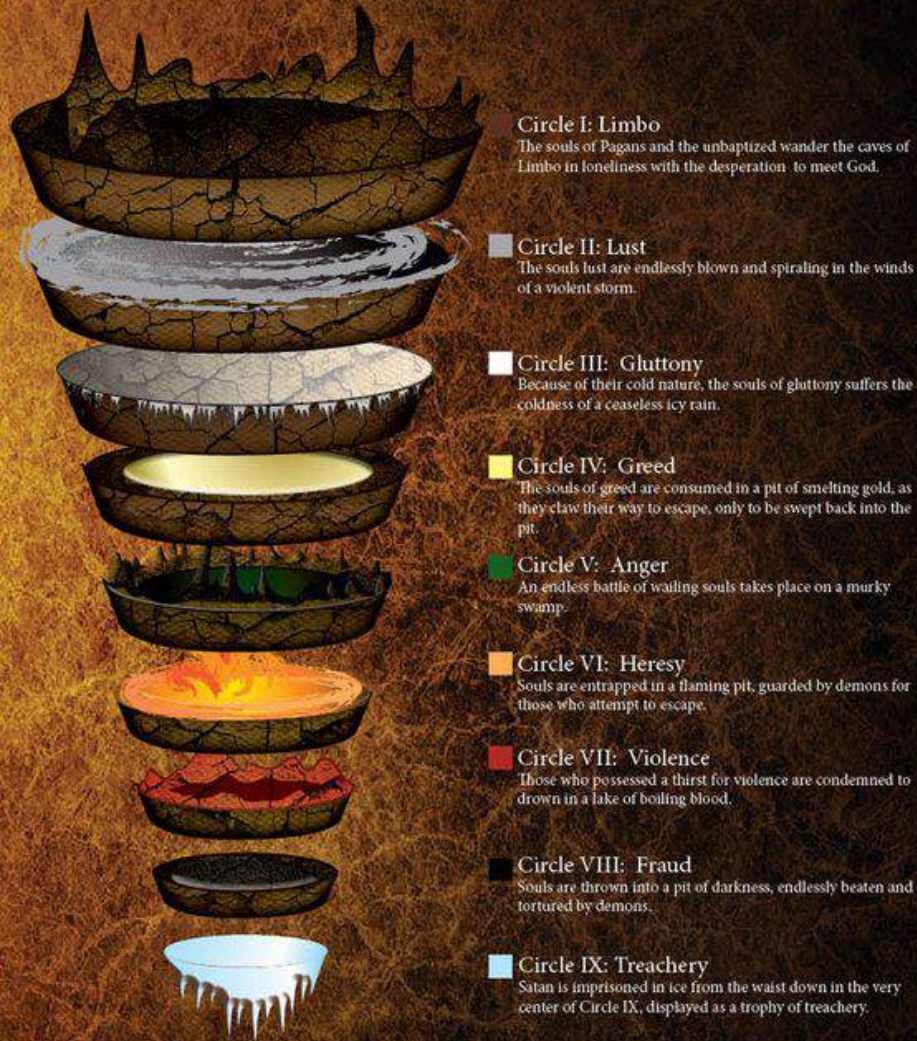
Discovery Malpractice: Five Common Causes and How Smart Litigators Can Avoid Them

THIS HAS PUT LEGAL TEAMS INTO AN
EDISCOVERY HELL



Dante's Inferno

The Nine Circles of Hell



That's right about here

(Circle VIII, Ditch 4 to be exact. Take a left at the pit of darkness.)

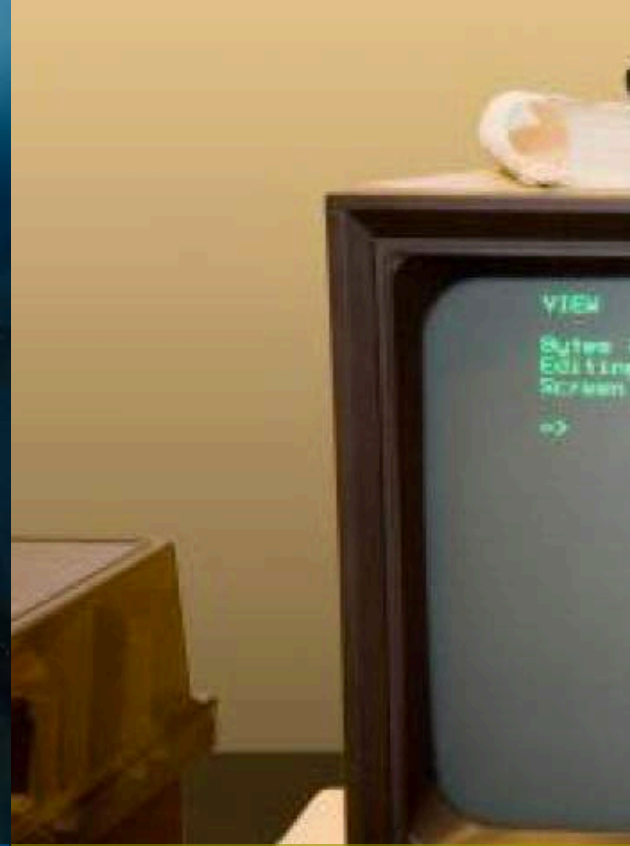
SO, WHAT IF WE COULD...



Eliminate the inherent risks from the discovery process?



Make starting a discovery project take less than 5 minutes?

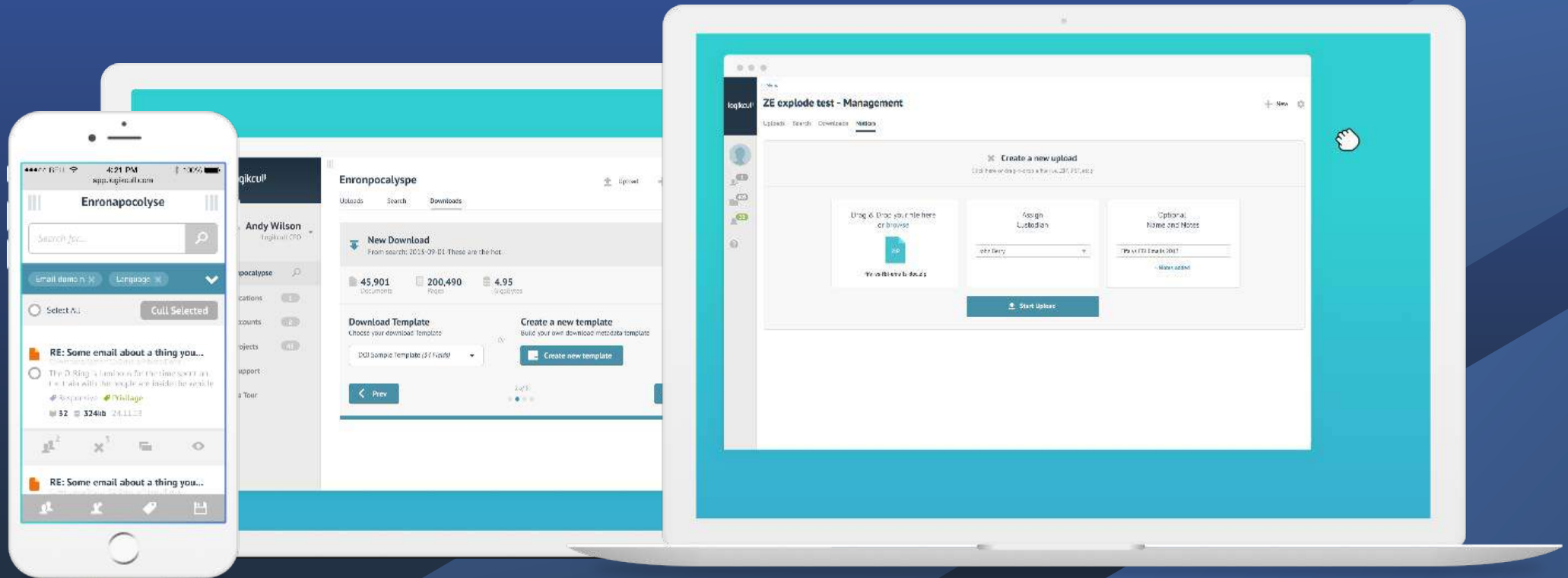


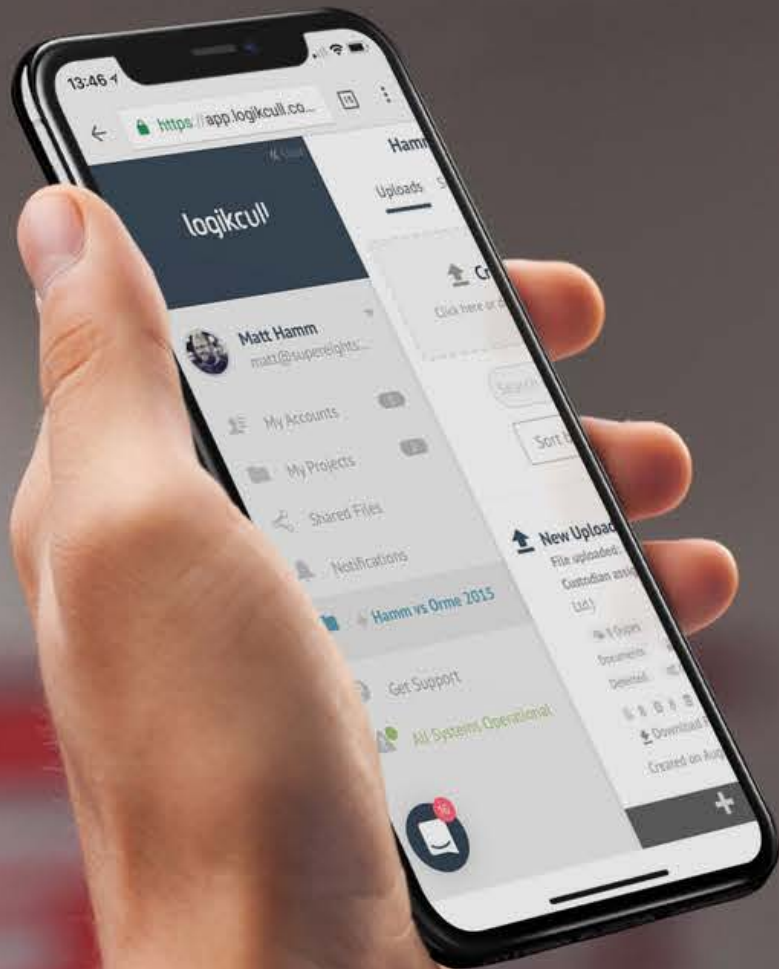
Give legal teams a discovery tool as easy to use as Google search?



INSTANT DISCOVERY

for modern legal teams





START A DISCOVERY PROJECT,
ANYWHERE AT ANYTIME.

5 Seconds

Time to start a new project in Logikcull

SEARCH AS EASY & FAST AS A GOOGLE SEARCH

The screenshot shows the Logikcull web application interface. The browser address bar displays <https://app.logikcull.com/>. The page title is "Project End eDiscovery". The navigation menu includes "Uploads", "Search", "Downloads", and "Notices". The "Search" tab is active, showing a search bar with the placeholder "Enter search terms..." and a "Search" button. Below the search bar, there are "Filters" and "Saved searches" (12). The filters are categorized into "Upload" (8), "Custodian/Person" (2), "Document Type" (1), "Tag" (10), and "QC Tags" (29). The "Upload" filter is expanded, showing a list of upload names and their counts. The "Tag" filter is also expanded, showing a list of tags and their counts. The "QC Tags" filter is expanded, showing a list of QC tags and their counts. The search results show "Results: 2 of 12 Documents, 12 of 12 Pages, 228 KB of 228 KB". The results are sorted by "Page Count (desc)" and show "50 per page". The first result is a document titled "BCC email.eml" with a date of "June 09, 2015" and a size of "1.33 KB". The document content is partially visible, showing the "From" and "Bcc" fields.

Upload	Count	Custodian/Person	Count	Document Type	Count	Tag	Count	QC Tags	Count
Test typing	1	Uploading	3	Document	3	Tag Folder	1	None	1
Checklist	1	Pete Orme	0			Privilege	1	Has Duplicate	1
HTML 5 Cheat Sheet	1					Confidential	2	Ocred	1
File-for-folder-230415	0					Peteorme	2	From Box	0
New Upload - petes-d...	0					Hot	1	Has Revisions	0
Matt-upload-4000	0					Non-responsive	1	Bcc: Has Bcc	0
Pete-orme-zip	0					Supersight	1	Has Speaker No...	0

Automatic Categorization

There are dozens of filters to choose from: Doc type, Tag, Potentially Privileged, Language, Email Domain, Date, Etc. are just a click away.

DATA STAYS IN ONE, SECURE PLACE

2FA

Two factor authentication

AE256

End to end encryption

SOC1 Type II

Mission critical data center





- Instant access to data
- Quick insights into your case
- No need to vend out billable hours for work you can accomplish in-house

Situation: Client has 10GB of email for discovery

Math:

10GB of emails

x 3,000 docs/GB

30,000 docs before cull

x 95% cull-rate

1,500 docs to review

x \$6/document reviewed

\$9,000 billed to client

Smart filtering:

i.e. @amazon.com emails

Date ranges outside of scope

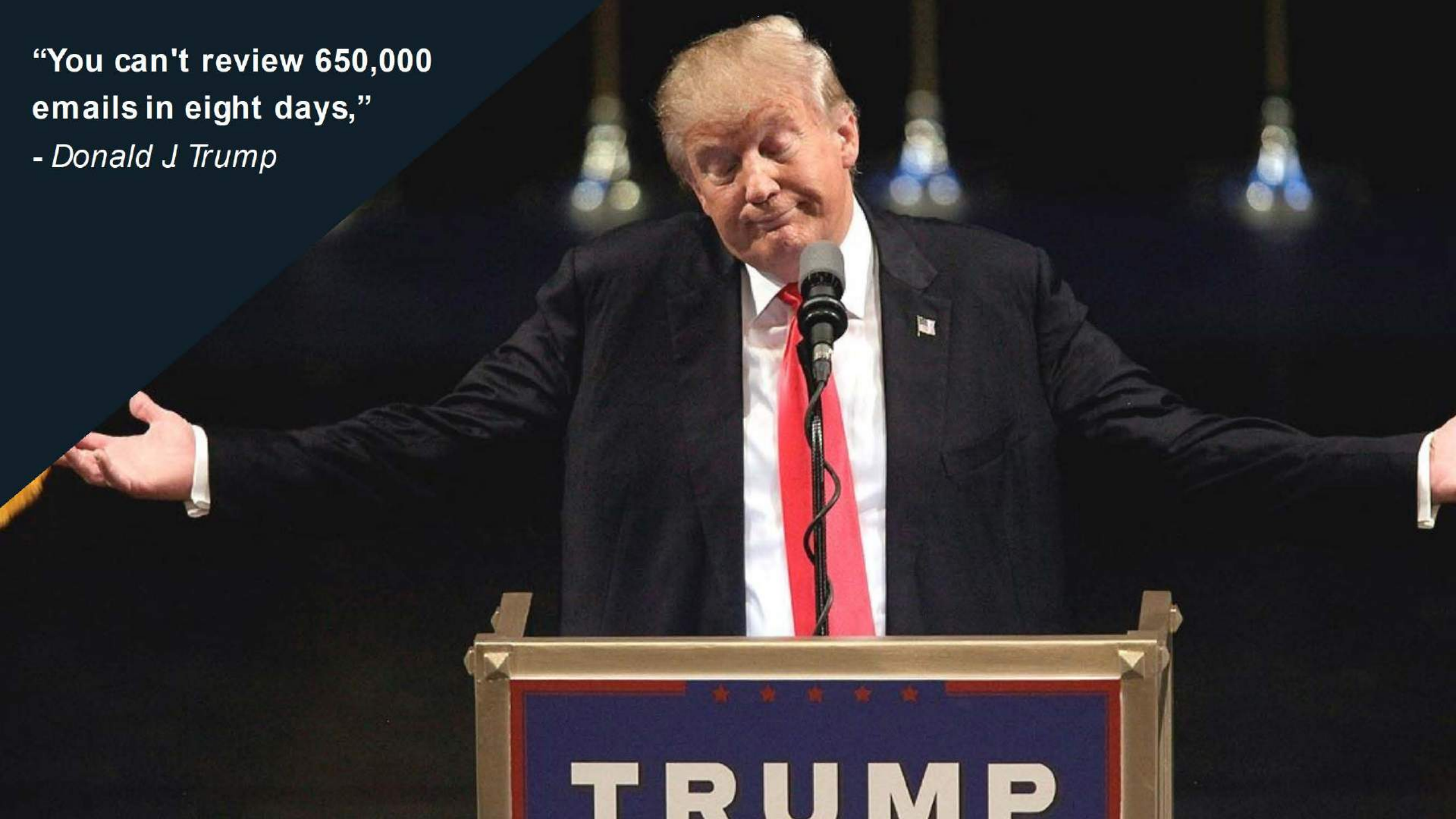
Keyword filtering

etc.

A human can read ~40/
docs/hour.

At \$250/hour, that's
~\$6/doc.

**“You can't review 650,000
emails in eight days,”**
- Donald J Trump



AM Law 200

Level: Discovery Sumo

Has eDiscovery experts
Has fancy search software
Has wealthy clients

SMB Law Firms

Level: Discovery NOOB

Has no eDiscovery experts
Use Outlook for search
Has *some* \$\$\$ clients

In eDiscovery Hell, the
BIG GUY almost always
crushes the little guy.



With Instant Discovery, the little guy has more power & leverage than the BIG GUY.

"And don't you DARE try to data-dump on me again, ya hear!? Punk!"



Three **discovery** tips for you...



When Clients Send You Data

Upload It **DO NOT** Open It



When you're ready to send data
for a production

Share It **DO NOT** Ship It



Thinking about the oncoming data tsunami & the Cloud?

Embrace **DO NOT** Hide

Catch the data discovery wave before it catches you.

HOW CAN WE HELP?



ROI

- Are you getting more value than you're paying?
- How are you controlling costs?



Speed

- Does it take too long to start review?
- Do productions take too long?



Security

- Is data in too many places? Is it encrypted?
- Is it monitored? Is it backed up?

*“The speed, the ease,
and the security.
Logikcull changed the
way we do discovery.”*



Aseem Gupta
Corporate Counsel



*“Logikcull will give us
the chance to
adequately
defend these young
women and give them
some much deserved
justice.”*



John Fraser
Attorney



All Industries. All Sizes.

Trusted by the Fortune 500, AM Law 200, The US Government, and thousands more in over 38 countries.



Vinson & Elkins LLP



YOUNG BASILE

Turner | Padgett



UNISYS



CHUBB

