

vigilant  
resourceful  
accessible  
seasoned  
proactive

REDEFINING PARTNERSHIP

CASE STORIES

innovative  
responsive  
driven  
tireless  
nimble  
committed



## introduction

**When you think of a partnership, you may think of terms like commitment, longevity, understanding, or support. However, these may not be terms you associate with your eDiscovery vendor. If not, we are here to change your outlook.**

**Over the course of the last twenty years, TCDI has worked on some of the largest and most sensitive litigation in history. We have built strong, lasting relationships with many Fortune 100 corporations and AmLaw 200 firms. By lasting relationships, we mean relationships extending over 15 years.**

**This long-standing client loyalty has not happened by accident. We strive to know our clients and understand the needs and issues they face. We personalize their deadlines and issues such that they become our deadlines and issues. We provide an exceptional level of technology and service that exceeds their expectations 24 hours a day, year in and year out.**

**The following pages contain a collection of stories that showcase examples of how we serve our clients in this manner — that is, the many ways in which we are continually Redefining Partnerships.**

## two terabytes in two weeks

**The nature of litigation ensures there will be times when the data volumes involved and timeframes imposed make project requirements seem impossible. A good partner knows that which is truly impossible versus that which will take unique technology and a lot of extra effort.**

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### **The Challenge**

Deadlines and short timeframes are a fact of life in complex litigation. TCDI understands that, so we setup processes and procedures in preparation for almost anything.

That “anything” happened in January a year ago when we received a phone call on Thursday from an attorney we have worked with for over 15 years, asking if we were in a position to process a terabyte of data with review set to start that Monday.

He then told us their normal vendor had, understandably told him it was impossible. However, court deadlines made it imperative that it happen, so we took up the challenge and assured him we would commit the resources necessary and would deliver. On Friday, “anything” began to happen.

Clearly the volumes at hand and the timing imposed were daunting. However, with our technology and the drive of our people, we were confident that no one in the country could meet this challenge better than we would.

### **A Call to Action**

The short timeframe for processing and loading this large volume of data for review was our primary challenge. To add to this, the data we were expecting turned out to be two terabytes when it arrived.

Within the prior year, we had completed initial development of a processing environment which is controlled by our proprietary processing management product Discovery WorkFlow®. In addition

to controlling the various standard and advanced processing applications, logging the processing actions on each data object, and monitoring multiple jobs, Discovery WorkFlow also distributes the processing work across a large network of processing servers (soldiers). Electronically stored information (ESI) processing is largely CPU-dependent — if you need something sooner, you put more soldiers on the job. The terabytes of data and strict timeframes involved in this particular project necessitated a great many additional “soldiers.”

On Friday morning a call was placed to our hardware supplier to order the added hardware we needed for expanding our processing server pool. After a lot of discussion regarding the urgency involved, they were able to help supply our needs very quickly. The additional soldiers needed were quickly put in place and, at our processing-peak, we had 120 soldiers working 24 hours per day.

With the deadline looming, staff from our Client Data Services, Project Management, and Networking teams worked the shifts necessary to ensure we maintained peak operation 24 hours per day throughout the project. To augment communication and expedite decision making, we also hosted an attorney from the client firm on site at TCDI.

On Monday, the review began on schedule. TCDI was able to train reviewers on ClarVergence®, our proprietary review and production application designed to efficiently and securely manage large data collections.

To ensure a smooth start-up and transition, we also placed one of our project people on site at the firm's Chicago location for three weeks. This TCDI resource was able to assist with user needs and support the firm's review administrators in creating and assigning review sets and generating reports.

Over the course of 10 days, culling reduced the data volume from 2 to 1.2 terabytes, at which point it was fully processed and loaded for document review.

Productions began after the first week of review and, all things considered, ran relatively smoothly with close coordination between our production group and outside counsel. Within four weeks, the last of approximately 20 productions totaling close to 80,000 documents was made and the teams of people involved were able to finally stop for breath.

### **A Look Back**

I would love to say that this entire project went smoothly. Realistically, however, projects this big, moving this fast always have issues. Yet due to the tireless efforts and teamwork on all sides of the project, no problems were insurmountable.

Friedrich Nietzsche's philosophy, "that which does not destroy me, makes me stronger," seems applicable to this project. From a technology perspective, TCDI was in a position to handle projects of this nature, but the magnitude of the requirements pushed us even further to build a more robust processing environment. Additionally, we've managed long hours and tight deadlines before, but this project served as a reminder of TCDI's commitment to achieving its clients' goals. We've become known for that, and we like it that way. ■



SUSAN BRIGHT | EXECUTIVE VP AND COO

Susan started her career with TCDI in 2000 and is currently responsible for corporate strategy and operations where she blends strong technical and management skills. With an extensive background in software development and database management, Susan remains actively involved with many of TCDI's projects and clients.

REDEFINING PARTNERSHIP :

## when fedex can't deliver

**There are many companies that talk about “going the extra distance.” At TCDI it’s engrained in our culture. Take a closer look around and you will find few, if any, that “soar” quite as high as we do when it comes to doing whatever it takes to get the job done.**

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### **The Challenge**

Deadlines in the legal world are never ending. Whether it’s discovery productions or trial requirements, there always seems to be a tight deadline at hand, with little room for error.

In January we were working closely with a client on a project through the weekend to prepare for a trial date they had coming up in Kansas City. This particular case involved over 42,000 pages of paper that were needed in court on Monday morning as trial exhibits.

As with most litigation, decisions and adjustments were being made right up until the very last minute. Understanding that this is the nature of our business, we have several processes in place to help increase efficiency and facilitate the meeting of tight deadlines. One of these includes our in-house print production facility, which is capable of printing productions up to a million pages or more. This one was a relatively small production of only 14 boxes of paper. Due to the short deadlines, however, the client opted to reduce their risk by having our team and facilities print the production and have it delivered to their hotel in Kansas City where they had set up a make-shift war room for the trial.

We had the production printed and ready to go on Saturday evening and everything scheduled for delivery, with FedEx same day delivery service on Sunday. Schedules were tight, but things were moving quickly and it looked like it was all going to line up.

There was only one problem. As the

production was finishing up on Saturday night, a heavy snow storm moved into the southeastern U.S. and completely shut down the city of Greensboro and most of North Carolina. It was a project manager’s worst nightmare. When we woke up Sunday morning the skies were clearing, but the snow was deep. The roads were closed, and our fears were confirmed; FedEx same-day service wasn’t delivering.

We quickly began looking for any possible solution and researching all our options. We had people calling every airline at every airport in the area, but nothing was moving. The storm had shut down all flights in and out of all the airports in the state, and the roads were just too treacherous to try and drive it there in time. There was only one option left — fly it there ourselves.

### **The Solution**

One of the unique differentiators we have at TCDI is the use of two small business aircraft that help us save time and money to meet our clients’ needs more efficiently. We traditionally use our aircraft to travel to a client to provide user training, pick up client data for processing, or get to a client quickly to provide onsite support when things really heat up. On this particular day, we needed to find a way to fit 14 boxes of paper on the aircraft and get them to Kansas City that day!

We contacted our pilots to explain the situation and see if something like this could be done. Was there any hope of getting out of here despite all the news on TV of the

airports being closed? The pilots quickly ran a weight and balance calculation and came back with the good news that we could fit the boxes in the plane and run them to Kansas City. The bad news was that although the airport cleared the runways, the ramps were still buried in snow and the planes were buried in a hanger, which was why the airlines and FedEx weren't moving.

Without any hesitation several TCDI folks immediately headed to the airport in their four-wheel drive vehicles, shovels in hand, determined to get the plane off the ramp and into the air. Crews spent the entire morning digging and plowing, pushing and pulling, doing everything they could to help get the job done. By noon we managed to

successfully break through and get our plane airborne.

Once we landed in Kansas City, we loaded the boxes in a car and drove to the hotel to deliver the production right to the client's door step. To the client, it was as if everything had gone as planned.

### **Summary**

This was not one of our biggest clients by any means, but it felt like one of our biggest wins ever. It's a great example of how we always go the extra distance to exceed expectations and why TCDI is always going above and beyond to find ways to do things for our partners that no one else can. ■



JESSICA CHURCH | PROJECT MANAGER

Jessica started with TCDI in 2005 and worked as a part-time employee while attending Wake Forest University. After graduating with a double major in Economics and Religion in 2009, Jessica joined TCDI full-time. She currently works as a Project Manager in our eDiscovery Group and has extensive experience in quality control processes and procedures, and ESI processing.

REDEFINING PARTNERSHIP :

## designed to deliver

**Sometimes what the client needs or wants isn't a part of the current software version. A good partner spends less time explaining why it's not available and more time understanding the need and making it happen in a timely fashion.**

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### **The Challenge**

About 18 months ago we were approached by a law firm with which we had begun developing a good working relationship and we had worked with on a few medium-sized projects the prior year. This firm has a large document review and production center and was working with a client on the details and requirements for review and production related to a variety of matters.

The firm and their client had worked out a specific review workflow that met all their needs. Part of the workflow included extensive quality control (QC) steps for documents in review. Their commitment stated they would QC varying percentages of the documents based on specific aspects of the documents themselves. For instance, they wanted to vary the percentage of documents in QC based on things like document type and whether the document was coded responsive or privileged. They even wanted to vary percentages based on the experience levels of individual reviewers.

At the time, our ClarVergence® review and production platform had three options for assigning review set documents to QC. You could assign the entire set, a percentage of the entire set, or selected documents based on keywords they contained. The QC workflow the client outlined would require the review administrator to perform several manual calculations and steps to build each QC set. As such, they requested that we help them better manage their review QC workflow by building the capability for their

review administrators to easily and flexibly assign documents to QC.

### **The Solution**

Our product enhancement team quickly assessed the request and determined it was of high value and would benefit a broad range of clients.

We met with the client to further understand their need and the requested functionality. With this information, our product development team expanded the discussion within our Project Management group to review the proposed feature, consider additional perspectives, assess potential impacts, and put together development specifications.

The next step was to determine when to develop the feature. This request was classified as a general enhancement to ClarVergence® and, as such, was to be added to the regular software version cycle, which normally runs three to six months depending on the number and complexity of enhancements involved. The version cycle being worked on at the time had begun a month earlier and had another two months to go. That meant this enhancement might not be available to the client for another six months or longer.

Our development team, however, assessed our progress on the version underway and determined this enhancement could be added and completed without sacrificing the release timing or full quality control and testing.

As part of developing this particular

feature, we touched base with the client at several stages, including a review of the full development specifications and mock-ups of the user interface. We also showed the client a beta version of the feature prior to release.

Although originally initiated by, and for, a single client, this advanced review QC capability was expanded to consider the needs and objectives of multiple clients with multiple workflows. Additionally, we implemented it in a way that maximizes its overall flexibility. Most importantly for the requesting client, we made it available for their use in ClarVergence within two months

of their initial request.

### **Summary**

As a development team, we know we can't always act overnight or even as quickly as we did on this case. We do, however, seek to deliver the solutions that best meet our clients' needs and objectives as quickly as possible. We write and support our own software and thus control our own development timelines. Our development response times are not limited by a fixed schedule, but rather are guided by what is possible in serving our clients, given the full set of circumstances. ■



ANTHONY KLIER | VP OF DEVELOPMENT

Anthony started with TCDI as a member of the Federal Systems Division in 1992 where he led the development of a number of critical applications for the U.S. Department of Commerce and U.S. Department of State. In 2007 he joined the Litigation Technology Division and is now responsible for leading all efforts in product development and R&D.

REDEFINING PARTNERSHIP :

## the privilege is ours

**Understanding our clients' needs and working one on one to implement meaningful solutions to specific challenges is just one of the ways we're redefining partnerships in eDiscovery.**

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### **The Challenge**

TCDI works with a lot of corporations and law firms providing hosted software and services for eDiscovery and large-scale case management. We work hard to understand our clients' needs and help them accomplish their goals.

That was the situation with a large AmLaw 100 firm based in the southeast that approached us looking for technical help with privilege logs. This firm operates a large discovery center for managing document review. Over the years, the firm had distinguished itself with its ability to defend and support claims of privilege. Successfully defending privilege, however, comes with the burden of comprehensive privilege logs, which in turn, create greater expense for the end client.

We began by listening to the various steps and processes the client used to ultimately arrive at the privilege log. Part of defending the claim of privilege is clearly showing where the claim exists, which can be complicated in today's email world. For instance, the portion of the communication that makes it privileged might be buried deep inside the body of an email thread. In these cases, the Date, To, From, CC, and Subject header information aren't easily accessible metadata fields, but rather are text mixed in with the rest of the email thread. To pull that information out for a privilege log requires a lot of time and manual effort, and that's just for information you can see. You also need to consider things like group distribution lists,

where the recipients aren't even named.

It was easy to see why they were spending so much time and effort on privilege logs, and why the cost per document was three to four times that of a regular review.

The challenge was determining how to use technology and automation to reduce the time and expense associated with creating comprehensive privilege logs.

### **The Solution**

With a thorough understanding of the problem, our development team went to work on the solution. It's easy when the email sent is privileged. In these cases, all the header information that might be needed for the log is in the review database, making it easy to access and report on. However, the header information embedded in replies, forwards, and long email conversations are more difficult to mine.

Our developers created a process to parse this information from an email's body text. The process scans the email body looking for patterns consistent with email header information. They had to make it smart enough to know the various ways different email clients (such as Microsoft Exchange or Lotus Notes) would present this information as the email conversation thread progressed. This might sound straightforward, but believe me, there are a lot of variables to consider. Once header information is identified, it's parsed from the body and the appropriate values are placed in a separate table within the review database along with the

information corresponding to the email's position relative to the other emails in the thread.

After testing and tweaking our processes on non-client demo data, we performed this process on live data and presented it to the client for review. The client has indicated that our work automated about 70 to 80% of the manual work they've had to do to review, pull out, and record the information embedded in these emails.

The job is not done yet, however. At this point the client is exporting the parsed email body information into an Access database, where they manage things like look-up tables for group distribution lists and other hidden and dynamic information. From there, the privilege log is assembled and

exported for productions.

### Summary

We're please that our work proved successful in significantly cutting the manual labor and costs associated with developing comprehensive privilege logs. Our development team has even more ideas on the next steps that might help this, and other clients, even further. Our ideas could help replace, or at least minimize, some of the lookup steps needing to be done outside the review environment. These ideas will help save time and minimize the chances for errors that crop up whenever data is moved.

When these next steps are completed, we look forward to expanding our story of innovation in our client partnerships. ■



### WILL MATOS | PROJECT DIRECTOR

Will joined TCDI in 2000 and currently serves as a liaison between the Development and Client Services departments. Will's expertise in web design and systems architecture makes him a vital player in the adoption and implementation of new technology. He also plays an instrumental role in automating processes for some of TCDI's largest eDiscovery and Case Management clients.

Prior to joining TCDI, Will worked in legal technology for an AmLaw 100 firm.

REDEFINING PARTNERSHIP :

## support is, as support does

**We've all been there. You're working with a new software application or on a "partial assembly required" project, and you're stuck. You're close, but you need some help. Still, you resist calling the help desk number because even if you get to a real person, the process is just going to be too painful. A good partner provides clients with support how and when they need it.**

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Help desks and support centers get a bad rap. Still, it's a rap many of them bring on themselves when they allow callers to leave with an unsatisfactory experience.

It's different in our industry though, right? After all, we're dealing in important, sensitive, and often time-critical environments.

Unfortunately, we hear all too often about companies, even in our industry, who don't provide the level of support their clients expect and deserve.

We at TCDI believe there are three main tenets to providing support at a level that meets our definition of partnership:

### **Accessible**

Being available when the client needs you is one of the most basic premises of support. In our business that means 24x7x365. The timeframes, user locations, and even personal work habits of our clients dictate that data access and thus support should be on the clients' terms, not ours.

A while back, one of our clients decided to test us on this. We had just completed a very large project to migrate their document review system from a third-party data facility to our data center. The contract outlined various service levels including response times for our Support Center. These contractual response times were easy to agree to since they were the standard service levels we offer all our clients.

Shortly after we went live with their system, a couple of guys from the client's project

team were out celebrating and, at 3:00 a.m., decided they would call our Support Center to test how quickly we returned calls. When our on-call support staff member answered the phone, they were so surprised, they hung up. They fessed up to the call about a week later and let us know they were impressed that a "real person" answered their call at that time of the morning.

### **Knowledgeable**

Okay, so someone actually answers the phone. That's an important start, but there's more to support.

Every support team member who answers your call should have the knowledge to actually help you with your issue.

Our support team members are all TCDI employees; we don't outsource any aspect of this important service. This means our team is briefed as a project moves to a new phase and knows the timing of critical dates such as productions. We know the nuances and settings that distinguish our clients' systems from one another and we also understand the ClarVergence platform well and are good resources for our client users.

I had a situation where a client called in needing some help executing a database search. I could tell by the way he explained the problem that he misunderstood how to use the search operators. I was quickly able to help create the search he needed but took a few extra minutes to explain the use of the different search operators. I then showed him where to go in our online help if he

needed a reminder of how those operators worked. When we can answer our clients' questions and teach them the skill behind it, we help to develop stronger, more efficient users.

### **Proactive**

Being proactive is one of the most valuable but often unsung attributes of strong support. We work to take action often before the client knows it is needed.

Our support team members have access to several applications that monitor client systems in order to identify real-time connectivity and performance issues. That lets us take action before the client calls.

Not too long ago, we had a situation where a client needed to print and produce documents at a trial site on the West Coast. This remote batch print capability is a standard part of our case management solutions that uses secure print spoolers,

which we can monitor in our Support Center. Before their production began, we noticed that one of the spoolers was indicating the printer was out of paper and the other spooler required a reboot to restore a network connection. Before the client even uncovered these issues, we called the trial site to notify them and walk them through the resolutions. They were quite surprised and pleased we had taken proactive steps to solve their problems before they even knew they existed.

### **Summary**

It seems that for many providers, user support is an add-on or a necessary evil. We see it as another way we can partner to ensure project success and a smooth, positive experience for our clients.

We believe strongly in these tenets and work hard to enhance our ability to be accessible, knowledgeable, and proactive. ■



### **PATRICK SCRAGG | MANAGER OF TECHNICAL SUPPORT**

Patrick has a Bachelor of Arts Degree in Public and Mass Communication Studies from West Virginia University. He started his career with TCDI in 2004 and has significant experience in Project Management and Technical Support. Prior to joining TCDI Patrick worked with, and managed, teams in Network Engineering.

# responsive

REDEFINING PARTNERSHIP :

## new button the next morning!

**Moving at the speed of eDiscovery requires responsiveness, a full understanding of your clients' needs, and the attitude to make it happen.**

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### **The Challenge**

A few years ago we were working with a client who was using our ClarVergence® review and production platform on a review project with fairly tight deadlines. In this particular case, they opted to concept cluster the data in order to create review sets with conceptually similar documents. Over the last few years, clustering data for review set organization and assignment has become very popular. It has helped accelerate document review rates by providing targeted groupings of documents based on the concepts they contain. One consideration, however, is that multiple documents belonging to the same family (such as emails and attachments) might contain distinct concepts that, when clustered, land in very different document groupings. Depending on the production requirements, this might be okay or might create problems.

In this particular case, the production requirements dictated that email attachments deemed responsive needed to be produced with their parent emails whether or not the parent email was coded responsive. This isn't a unique requirement, but it was one that the review team was not aware of when they began review. Had they known, workflow and coding requirements could have been put in place to easily accommodate it.

Although pulling nonresponsive parent emails in with their responsive sibling attachments wasn't an impossible request, it required some extra steps based on the way

the client coded documents. They needed to build queries to return responsive documents and any nonresponsive parents in order to have what they needed for their productions. No big deal, but not ideal.

ClarVergence is a powerful, flexible review and production platform that lets clients with production security rights perform productions directly through the review interface. At that time, however, there wasn't a quick and easy way for this client to pull their production together given their review workflow and guidelines imposed for document coding.

As our project team held discussions with the client on how best to assemble their production, one of the client's project team members said, "Wouldn't it be great if there was a button on the interface that automatically pulled in the parent documents for all responsive attachments?" We all agreed, and in this case, that's exactly what we did.

### **The Solution**

Each TCDI project team has a developer assigned to work closely with the project manager as a resource to support project-specific issues and custom requests. Not all custom requests can be implemented during the course of a project, but these developers are there to make that happen if they can.

In this case, the project manager met with the developer assigned to the project and reviewed the issue and the request. It was clear that adding this capability would

significantly ease the process by which the client performed their document productions. By the time the client logged into the system the next morning, there it was — a new button labeled “Return Parent” that would include the parent email with the responsive attachments. Needless to say, our client was thrilled when they saw the new button. They never expected that we would listen and respond so quickly.

From our standpoint, we too were pleased to deliver so quickly, but we didn’t take the task lightly. Depending on the complexity, it can take months to get a new feature implemented. Specifications have to be written and quality control protocols must be developed and followed to ensure that it doesn’t negatively impact the rest of the product. In this case, however, we were in

luck. The code needed was simple and didn’t interact with or impact any other code in the application. Therefore, quality control and testing was uncomplicated, allowing a fast turnaround.

### **Summary**

This success story — and others like it — happened for two reasons. First, we own the software applications our clients use. Our development team writes and maintains the code for these products so we control the timing of changes and enhancements. Second, TCDI’s culture thrives on actively seeking and delivering solutions that best meet our clients’ needs. We’ve spent the last 20 years meeting the challenges of this fast-moving litigation technology market. That’s how we partner. ■



PENNY APPLE | DIRECTOR OF CLIENT DEVELOPMENT

Penny joined TCDI in 2005 as a Project Director in TCDI’s eDiscovery Group. Today she remains actively involved in the implementation of new discovery projects as well as the management of our 24x7 Technical Support Department. Penny came to TCDI with more than 20 years of experience supervising case management and collection teams for a leading AmLaw 100 law firm.

REDEFINING PARTNERSHIP :

**we're redefining partnerships in ediscovery and  
large-scale case management**



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vigilant  
resourceful  
seasoned  
proactive  
accessible

## REDEFINING PARTNERSHIP

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### CASE STORIES

innovative  
responsive  
driven  
nimble  
tireless  
committed