



Non-Zero and The Power of One™

5 Ways to Win in eDiscovery

with Managed Solutions™
from Trustpoint.One®





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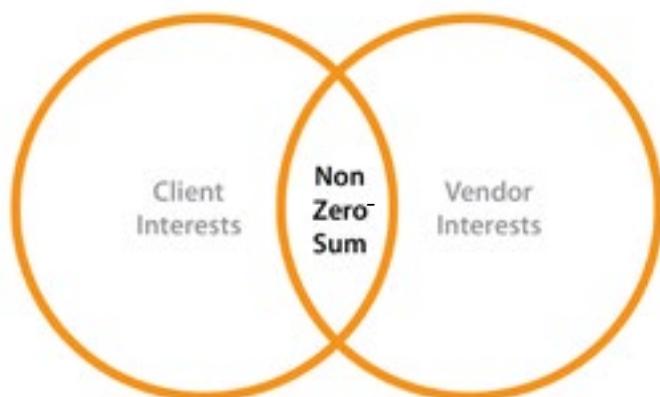
In his book, [Nonzero: The Logic of Human Destiny](#), Robert Wright argues that as complexity in human society increases, the ability to reap “non-zero-sum gains” also increases. Biological and cultural evolution are shaped and directed first and foremost by “non-zero-sum-ness”, the prospect of creating new interactions that are, bottom line—**win-win**.

“In short, the zero-sum game is driven by self-interest,” says Wright, in his accompanying TED Talk, [Progress is Not a Zero-Sum Game](#), the non-zero-sum game arises when people’s (or organizations’) fortunes are correlated—when the ‘opposing’ side’s fortune conduces to mine.”

For example, electronic communications enable commerce at a global level, allowing diverse markets to trade goods and services they could not otherwise, resulting in benefits for everyone. Through technological evolution, new forms of technology arise that facilitate or encourage the non-zero-sum game, involving more people over larger areas. The global marketplace adapts to accommodate new possibilities and harness this productive potential.

Zero-Sum vs. Non-Zero-Sum defined:

Simply put, in a **zero-sum game**, one party’s win requires another party’s loss. Conversely, in the **non-zero-sum game**, one party’s win or success does not mean another party’s loss. Both parties stand to gain.





Managed Solutions™ | A Non-Zero-Sum Approach

In this document, you will learn how [Managed Solutions](#) from Trustpoint.One effectively addresses the five key challenges that law firms and in-house counsel face in eDiscovery today:

- Data Management
- Cost predictability
- Data Security
- Access to software technology and support
- Contract commitments

Addressing these five challenges effectively requires a non-zero-sum, or “win-win” business philosophy built on cooperation and mutual benefit, where vendor and client interests are aligned. Managed Solutions™ is an innovative path that offers a truly non-zero-sum approach to address some of the biggest challenges that organizations face in eDiscovery today.

1. Change the Approach | Manage Data Better

Technology is all around us, and it's fueling the 21st century data boom. This ubiquitous technology is creating billions of pieces of communication a day. A report by the Radicati Group, a technology market research firm, indicated that the total number of business and consumer emails sent and received per day would exceed 281 billion in 2018. Radicati forecasts that number will grow to more than 333 billion by 2022.²

How does this apply to law-firms and in-house legal departments? Let's examine how the industry is dealing with Big Data and the infrastructure required to contain and manage it.

Emails are the most prominent example of ESI—especially in the legal industry. However, there's more to consider. For example, organizations who have moved to Microsoft 365 may still have on-premise exchange platforms, employees may keep.pst mailbox files on their local hard drives, old data may be maintained in legal-hold platforms, or terminated user data may live on networks indefinitely—not to mention content on a variety of disparate platforms like Dropbox, Google drive, SharePoint or various social media sites.

With increases in data stores, their locations, and the need for organizations “to satisfy their retention duty,” more businesses and their advocates must manage data better and limit the amount of information that makes it downstream to vendors and case teams.





A Managed Solution engagement can be customized and specifically tailored to encompass a corporation's Information Governance (IG), Preservation and Collection needs. These engagements allow organizations to leverage professionals with extensive electronic data experience to help draft information governance plans and data maps to develop smarter preservation and collection methods. These solutions simultaneously address retention-duty obligations and reduce data volumes that ultimately need to be reviewed. For example:

- Deploy a "Preservation Managed Solution" where the collection of custodians and data stores (frequently a target of document requests) are put on a regular collections schedule. This helps with an organization's litigation readiness and eliminates the need to recollect data.
- An "IG Front-End Solution" can also help in the processing and review stages of the Electronic Discovery Reference Model (EDRM) by re-purposing the data and attorney work product. Organizations can put processes in place where data that is relevant to multiple matters is processed only once. In this case, the coding decisions and work product can be reused.

2. Change the Model | Improve Cost Predictability

The complexity and rising costs associated with ESI and eDiscovery services are forcing innovation and market disruption with predictable pricing models, as seen in Trustpoint's Managed Solutions offerings.

There are many vendors claiming to offer similar eDiscovery managed services. They might have a bullet point on their website and may even have a web page dedicated to the model, but are eDiscovery managed services a core focus of their organization? How can you tell?

One way is by examining how the eDiscovery provider allocates resources and makes money. Trustpoint is moving away from pricing its services in the traditional per-GB model, where each step in the process is more expensive than the previous, and toward aligning its interests with their clients' making Trustpoint a true eDiscovery **Managed Solutions** provider.

In addition to addressing the needs of any given project, the Trustpoint approach focuses on a comprehensive business solution to handle all of an organization's projects, enabling more control over their eDiscovery business. These engagements can include a combination of workflow, technology and infrastructure support and are priced at the environment level. Following are two examples:



"Many eDiscovery providers have turned away from the traditional eDiscovery vendor model because the value network doesn't make sense to them. Their core business is made up of collecting, processing, hosting and reviewing as much data as possible. With Trustpoint, the core business is aligning our interests with those we support."

- Ezekiel Alicea, Managing Director, Trustpoint.One





- In the case of an organization that wants to directly license eDiscovery software, they can engage Trustpoint to host the software, manage upgrades, storage and other IT functions, the law firm would pay a predictable flat monthly fee for this service to handle all their cases.
- Then there are multi-tenancy engagements, where groups want full control of an eDiscovery platform but do not want the upfront licensing and hardware expense. In this case, they would get administrative control and capacity for a fixed monthly fee.

To recap, rather than charging increasingly large fees due to the infinite growth of ESI that needed to be collected, accessed, managed, and stored for eDiscovery (and the enormous financial burden to clients that comes with it), Trustpoint.One delivers a non-zero-sum Managed Solutions™ model, giving legal teams the infrastructure, technology and priority customer service they demand– but for a fixed monthly fee.

3. Minimize Risk | Secure Your Data

The Identity Theft Resource Center has been tracking data breaches since 2005. From 2005 to December 31, 2018, there have been a total of over 9,000 data breaches, exposing more than 1 billion records.⁶ According to the American Bar Association, most of the largest firms in the U.S. have experienced a malicious breach. These risks can become exponential when you take into consideration the fact that most firms outsource to multiple vendors, each with varying cyber-security policies and safeguards.

There are several advantages to engaging a Trustpoint.One Managed Solution when it comes to data security:

- Trustpoint meets the stringent requirements necessary to stand up to the security audits of their multi-national clients. Their operating environments are certified with the following security protocols: SOC 2 Type 2, ISO 27001, Privacy Shield and HIPPA compliant.
- Rather than taking the risk of having data “all over town”, best practice suggests centralizing the data in one secure location. Not only can a law firm or organization now host, control and gain insight into their data footprint for all matter, but it will also benefit from having one secure repository, mitigating potential breach that might otherwise occur at various transfer points in an unnecessarily complex chain-of-custody.





4. Practice Law | Leverage Technology & Support

Leading law firms and organizations look to Trustpoint when they are faced with challenges in bringing technology and support in-house. For example:

- Some organizations do not have the budget to pay for software or hardware to run applications such as Relativity, or securing the upfront investment from the partnership group is a “lost cause”. With Trustpoint, there is only a flat monthly fee to consider, which is more acceptable from a budgeting standpoint.
- Hosting eDiscovery software can be challenging for law firms, corporate legal departments, their respective IT and litigation support teams. From staffing requirements to administrative tasks such as upgrading software and managing storage, supporting software is a burden.
- Practice support teams are so bogged down with menial tasks such as processing data, creating searches and pushing buttons, they are unable to offer higher level consulting to case teams and work on special projects.



With Trustpoint.One, there's no hardware to buy, software to license, updates to schedule, or buttons to push. Case teams can focus on what matters most—successfully delivering legal solutions to their clients.

Trustpoint has also streamlined the way to manage Relativity. Administration functions such as creating cases, matters, users and groups can all be done without ever having to navigate around Relativity admin pages.

Additionally, Trustpoint gives team leaders the ability to view their environment at a glance through Trustpoint's custom dashboard. Clients gain quick access to information such as storage allocation and utilization for each matter, which is invaluable for budgeting considerations.

Lastly, Managed Solutions from Trustpoint.One is a turn-key offering where clients get dedicated access to specialized IT support, a Relativity® development team, architects and analysts – and are never in a queue.



5. Eliminate Barriers | Accelerate Your Success

Most of Trustpoint's competitors require long-term commitments—a traditional industry approach that Trustpoint is challenging.

Managed services vendors typically require a minimum three-year contract. Trustpoint views unnecessary contractual obligations as barriers to entry because they delay project initiation and delivery.

Rather than burdening the process and relationship with artificial barriers to entry, Managed Solutions™ provide clients with a secure Relativity® environment without the usual long-term contract or the capital expense, delivering freedom, flexibility and predictability unprecedented in today's eDiscovery marketplace.



Further, Managed Solutions™ require only a simple monthly fee, which can be extended for as long as needed. This eliminates the need for protracted contractual negotiations, mitigates contract risk for clients, and significantly accelerates the timeline to success.

This win-win approach—a highlight of the non-zero-sum business model—is made possible by Trustpoint's unique understanding of the marketplace and its enduring mission to always put the customer first.

Non-Zero-Sum | Win Big = The Path to Success

Trustpoint.One is first to address all five key challenges of eDiscovery in the Big Data era and successfully deliver a mutually-beneficial business model.

Ezekiel Alicea, Trustpoint's Managing Director says, "Many eDiscovery providers have turned away from the managed services model because the value network doesn't make sense to them. Their core business is made up of collecting, processing, hosting and reviewing as much data as possible. With Trustpoint, our core business is aligning our interests with those we support. The Trustpoint approach of removing barriers like capital expense, contracts, processing fees and fixed tiers changes how managed services are delivered, and challenges how eDiscovery services are delivered as a whole."



Trustpoint accepted the challenge to change its eDiscovery services to satisfy client demands by implementing Managed Solutions™, a bold and revolutionary move to finally put an end to out-of-control costs and ever-increasing complications created by the traditional transactional approach.



We offer freedom and flexibility coupled with security and priority customer support. All this adds up to what matters most in any industry– a superior customer experience,” says Mark Hawn, CEO of Trustpoint. What’s in it for Trustpoint, you ask? By aligning the company’s interests with those of their constituents, Trustpoint builds lasting relationships based on admiration, mutual gain and, of course– trust. By delighting customers in this way, the company not only earns additional market share, it ensures sustainable outcomes for all concerned. By contributing to the health and vitality of the legal industry and greater marketplace, it impacts those affected by the outcome of large-scale litigation and the economy as a whole.

“In the bigger picture,” as Wright suggests, “the intelligent pursuit of self-interest factors in and seeks to benefit the whole system.” This is what true success looks like using the non-zero-sum approach. When markets thrive, companies prosper, and everyone wins.

Trustpoint is poised and ready to address your most pressing issues related to eDiscovery. For more information on Trustpoint’s non-zero-sum Managed Solutions™ offering, see the [AmLaw 200 Case Study](#).



"We offer our clients flexibility and freedom. By eliminating artificial constraints such as unnecessary contracts and costly hidden fees, we shorten the timeline to success."

- MARK HAWN, CEO, TRUSTPOINT.ONE