

Managed Review Proposal

Trustpoint.One - Confidential and Proprietary

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Presented By:   
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**About Us:**   
Trustpoint.One delivers expertise in consulting and managed review. We use a process-driven approach that employs best practices at each stage of the project, and proprietary technology that optimizes the workflow.

**Ohio Review Centers:**   
To optimize quality and minimize total review costs, Trustpoint proposes to complete the review in one of our Ohio Review Centers located in the heart of downtown Cincinnati, Columbus and Cleveland. Trustpoint’s Ohio Review Centers provide the highest quality document review solutions at the lowest possible cost to clients, including Am Law 100 firms and Fortune 500 corporations.

**Review Process Design & Project Management:**To demonstrate our commitment to XXXX, Trustpoint’s lead Discovery Consultant, Ian Story, will serve as Project Manager for this engagement. Ian will collaborate with XXXX to design and implement a managed review process that: (1) uses Trustpoint’s managed review best practices; (2) tailors the process to meet XXXX’s goals; (3) maximizes defensibility, and (4) minimizes costs. Ian will also oversee all Team Leaders, will lead the Trustpoint review team, and will serve as the primary point of contact for XXXX for the duration of the project.

Bob Roberts, Trustpoint’s Managing Partner, will also collaborate with Ian and XXXX during the review process design phase.

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**It’s a Partnership:**  
We have found that many of our clients prefer an active role in planning, overseeing and monitoring their cases as part of an effort to reduce the time and cost of eDiscovery.

**Our Managed Review Best Practices**   
Trustpoint brings industry-leading managed review best practices to the leadership of large-scale document review projects. Our clients often cite this as a Trustpoint core competence and key differentiator.

**Search Term Optimization:** If needed prior to beginning review, a Trustpoint Search Term Optimization Team assists in optimizing key word search terms to dramatically reduce review cost. This critical step is often the most significant way Trustpoint reduces overall review cost. For example, in one matter, Trustpoint’s client was faced with proposed key word search terms that had returned over 1.3 million documents. Working closely with outside counsel, a Trustpoint Search Term Consultant and team of Trustpoint Search Term Specialists optimized key word search terms, eliminated false hits, sampled the results and documented the process for defensibility. The result was a 45% reduction in the number of documents for review and estimated client savings of over $1.1 million.  
  
**Training:** To optimize quality from the outset, the Trustpoint Project Manager coordinates review team training at the beginning of each review. Participation by XXXXX helps to ensure an effective transfer of knowledge. When possible, participation by senior members of the litigation team helps motivate the review team and provides strategic insight into the matter and the client’s business.

**Coding Manual and Glossary:** For each review, Trustpoint compiles a Coding Manual with detailed coding rules, background material and a glossary of key terms. The Coding Manual aids in training, review consistency and the Quality Control process. The glossary is critical to identify and define specialized terms and acronyms used by the client.

**Review Project Team:** Trustpoint recommends establishing a Review Project Team (RPT) at the outset of each review. The RPT includes a point person from XXXX, the corporate client, outside counsel, Trustpoint and any other vendors. The RPT supports quick decision-making and problem-solving during the critical ramp-up phase and throughout the review.  
  
**Trustpoint Decision Log:** The Project Manager documents all important decisions made by the client and outside counsel throughout the review in a Decision Log, which provides updated guidance to the review team, as well as an audit trail for defensibility.

**Managing Productivity:** To confirm our teams are working at optimum pace, Trustpoint tracks the number of documents reviewed per hour by each reviewer and by the entire review team (in addition to any other metrics requested by the client). We set site productivity goals each day and provide updates to the review team until the goal is realized. This fosters teamwork and a daily sense of accomplishment. We also set and check in on individual goals weekly.

Because effective leadership predicts productivity, we regularly encourage and challenge our reviewers. When routinely given individualized feedback, reviewers open up to suggestions, work to improve where needed and become highly productive members of the team.

Trustpoint Quality Control (QC) Best Practices

QC Preparation: When Trustpoint begins a review, we establish a QC protocol in close collaboration with the client and outside counsel. Trustpoint Team Leaders follow the protocol throughout the QC process, and compile QC reports documenting the process. One Am Law 100 law firm recently estimated that they were able to decrease QC prior to production by 90% as a result of Trustpoint’s QC process, driving substantial savings for their client.

**Round Robin QC:** After initial training, Trustpoint conducts a 100% "round robin" QC process. During this process, each first-level review team member completes one batch of documents, then exchanges batches with another first-level reviewer. During the “round robin” QC pass, if the two reviewers cannot reach agreement on an issue, they escalate the issue through their Team Leader for resolution. This process helps reinforce training, and identifies and quickly resolves inconsistencies in the application of review rules.   
  
100% QC Review and Trustpoint QC Matrix: After the “round robin” QC process, Team Leaders continue a 100% QC review of the initial batches completed by each team member of the team: (1) using QC tags to document any issues discovered with respect to proper application of the coding rules and (2) reviewing QC results with the first-level reviewer to create a feedback loop, reinforce training and identify questions for resolution by outside counsel.   
  
Trustpoint continues 100% QC until each reviewer reaches a 95% weighted accuracy score. To calculate this score, Trustpoint utilizes a proprietary QC analysis matrix to assign weights—set in close consultation with the client—to each QC tag according to its importance (e.g., privilege QC tags are typically among those assigned the highest weight).   
  
**QC Sampling:** After each reviewer reaches a 95% weighted accuracy score, Trustpoint performs QC review on a random sample of the remaining review population to achieve a desired confidence level and margin of error. The trend is a baseline 95% confidence level and 2% margin of error. We work closely with counsel to customize these levels and design a sampling process that fits the requirements.  
  
**Integration with Outside Counsel QC:** Trustpoint collaborates to integrate the Trustpoint QC process with QC by outside counsel. When outside counsel has an established QC process, Trustpoint tailors its QC process to support and harmonize with this process. The Trustpoint Project Manager then coordinates with outside counsel to share feedback with the Trustpoint review team.

Trustpoint Privilege Review and Logging Best Practices

**Privilege Pre-screen:** Prior to review, and if acceptable to the client, we work with XXXX to separate documents into two sets: (1) families without privilege filter key term hits and (2) families with privilege filter key term hits.   
  
**First Level Privilege Review:** The Trustpoint first-level review team tags a document "potentially privileged" if it contains any indicia of privilege (legal personnel sent/received communication; legal personnel mentioned; allusions to/discussion of legal issues). During First Level Review Phase 1, Trustpoint reviews document families without privilege key term hits. During First Level Review Phase 2, Trustpoint reviews document families with privilege key term hits.   
  
This allows the review team to get up to speed on the issues before grappling with documents likely to contain privilege issues. Because not all privileged documents have privilege key term hits, we review for privilege during both phases.   
  
**Second Level Privilege Review:** For all potentially privileged documents identified by the first-level review team, the Trustpoint second-level privilege review team makes a final privilege call, redacts partially privileged documents and drafts a privilege log entry (when needed). Our second-level privilege reviewers are drawn from our most experienced and talented review attorneys and specifically trained in privilege issues.   
  
Because privilege calls are strategic in nature and clients differ in opinions and approach to privilege, we work closely with the client and outside counsel to develop a privilege review protocol to be followed by the second-level privilege review team. This two-tiered approach: (1) promotes efficiency (first reviewers can make high level privilege calls quickly); and (2) promotes quality, accuracy and defensibility (final privilege calls are made by trained and experienced second-level privilege reviewers who focus solely on this important issue).

**Privilege Logging:** Trustpoint uses a proprietary privilege-logging tool to ensure consistent and accurate log entries. The Trustpoint second-level privilege review team builds the privilege log entry using radio buttons and check-boxes to select commonly used portions of the log entry, such as, “Confidential communication between attorney and client,” “seeking legal advice,” or “providing legal advice.” Trustpoint second-level privilege reviewers type in portions of the entry only when no standard entry matches the issue raised by the document, and this new text can then be saved as a standard entry. When the entry is complete, the Trustpoint privilege-logging tool compiles the log entry so that it can be cut and pasted into any review platform selected by the client.   
  
This process improves efficiency and accuracy, and greatly reduces the amount of time spent by outside counsel spell-checking and correcting privilege log entries after the log has been compiled. Moreover, the tool is completely customizable to the privilege-logging protocol, language, choices, and style selected by the client.   
  
Trustpoint Reporting Best Practices

**Trustpoint Daily Reports:** The Trustpoint Project Manager provides a Daily Report that summarizes review progress, provides key statistics (i.e. documents reviewed per hour), delivers a review completion estimate, and includes graphs showing emerging review productivity trends. An example is below.



**One point of contact,   
multiple points of expertise:**   
As a provider of truly integrated legal solutions, with experience across a broad spectrum of matters, we provide our clients with a simplified experience, just one person call to matter what comes up.

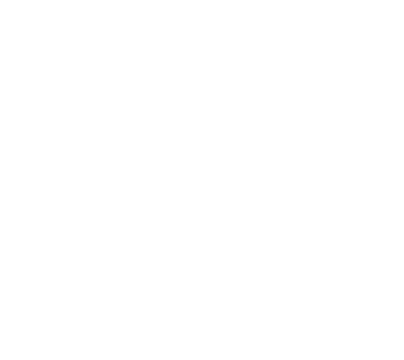
**Trustpoint Defensibility Binder:** The Trustpoint Defensibility Binder provides a one-page executive summary, a narrative description of the review process, and suggestions for future reviews. We also include copies of all process documents as appendices (Coding Manual, Decision Log, Productivity Report, Daily Diary, and any custom documents created for the review). Because challenges to the review process may occur years down the road, the Defensibility Binder is a critical tool to maximize defensibility of the review process.

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| **Trustpoint Ohio Review Centers** | **Trustpoint Bill Rates** |
| First Level Review Attorney – English | $XX per hour |
| QC Team Leader and Second Level Privilege Review Attorney | $XX per hour |
| Project Manager | $XX per hour |
| Foreign Language Review Attorney  (Japanese Review or Translation) | $XX per hour |

**Conclusion**

Our full commitment—regardless of the size or scope of opportunity—is to deliver on time, with exceptional quality, while minimizing cost. If you have any additional questions, comments or recommendations, please let me know and I will personally ensure a quick response.

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**Thank You.**  
Kea Asanto & Sylvia Yea