False Claims Act Litigation

Our Client, a Fortune 100 company, was in the midst of a False Claims Act litigation. The case involved a whistle-blower, thousands of government contracts and the potential to become multi-state.

The Challenge:

The database had grown to 3.3 million documents with a two month review deadline. There were two separate outside counsels, each interpreting the request differently, and a third document review team that was under-performing.

The Solution:

Before we became involved in the matter there were already over 20k documents completed by attorneys at both outside counsel law firms and the document review team.

The first issue we encountered was that the two law firms involved in the case were using different responsiveness criteria. One was interpreting narrowly, the other broadly. Before we could continue we had to get everyone on the same page. Our solution was to gather similar documents coded differently by the two firms, get everyone together and decide on a single standard. This worked. The agreement was to interpret the request narrowly, but fully.

Organizing, Modeling, Reducing

Now that we had a standard for responsiveness, we could begin to create a comprehensive strategy. Our first step was to try and reduce the number of documents that needed to be reviewed. We completed a random prevalence test using a 95% / 2.5% random statistical sample to determine estimated richness of the review set. The estimated richness was around 13%.

[#Which means what? - Or what is the implication of a 13% richness?] [#Need an easy way to say in this first section that we got the documents down from 3.3 Million to 880k)

Getting the Review Team into Shape

We then built an accurate QC model based on second level review, and with that were able to evaluate the work of the review team, as both counsels had expressed concern regarding their accuracy and speed.

- The team was averaging only 40 documents / hour, with some at 23/hour and others at 80/hour.
- Their overall accuracy was only 65%. Responsive documents were 80% accurate and non-responsive were 45% accurate.

Clearly, these numbers were unacceptable. At the direction of counsel and client, we stepped in to implement our proprietary review workflows in order to manage the process going forward. Using a series of techniques (clustering, emotional scoring, pattern recognition) we organized the documents into easily understandable categories. Each reviewer & second level QC reviewer was then responsible only for documents in a given category. This technique, combined with

our other workflows and team management, greatly increased the quality of work. Under our management, the review team went from 40 documents an hour to 68, and from 65% to 88% accuracy. Now that the review was operating acceptably, we were able to complete the entire project in the two month time frame.

Taking No Chances

As a final precaution, and considering the high stakes of the case, we implemented a secondary / redundant approach to validation. After an elusion test confirmed a valid recall score, additional testing using both modeling and multi-modal searching was used to over-validate the results and prove that responsive documents were not being missed.

The Results

We were able to act as a true partner to our corporate client, managing multiple outside firms and an independent review team. Using our proven techniques, we were able to deliver significant savings while providing a superior product in a tight deadline.

Reduction Savings:	**$2,420,000**
3.3M docs down to 880k	
Efficiency Savings:	**$297,000**
From 40 docs / hour to 68/hour	
Accuracy Savings:	**$778,000**
From 65% accuracy to 88%	
Total Savings:	**$3.5 Million**