

Cobbetts Customer Success Story

Cobbetts used CY4OR's eDiscovery solution to collect, review and produce documents for their client, Leeds City Council, in response to a tender dispute.

Now part of DWF, Cobbetts was a full service law firm with offices in Birmingham, Leeds, London and Manchester. They were instructed by the defendant, Leeds City Council, in a tender dispute with a design and development company, Montpellier Estates Ltd. The High Court of Justice instructed that standard disclosure be provided by each Party within two months.

As their preferred supplier, Cobbetts instructed CY4OR to assist with this case. The ediscovery team at CY4OR partnered with Clearwell by Symantec was able to deliver the ideal solution.

Data Collection

The first challenge that was presented to CY4OR was how to collect the electronic data from various media across six different organisations in locations throughout the UK. Data was to be collected from servers, personal computers, laptops and external hard drives. The data comprised Outlook emails, Lotus Notes emails, Novel and Microsoft Office data, and included unstructured data and long file paths.

Using CY4OR's vast digital forensics experience, the collection was approached in a targeted and proportional manner. Forensic logical and physical acquisitions were conducted across the electronic media using Linux and Windows extraction tools.

"Our client was concerned that the data collection stage of the ediscovery process would cause massive business disruption", explained Jon Hailey, Partner and Head of Dispute Resolution at Cobbetts. "Following a thorough consultation and the production of a detailed data map, CY4OR was able to provide a solution which balanced the need for swift data collection with the business needs of the client. Their understanding of the data collection, from a forensic as well as ediscovery stand point, ensured that no stone was left unturned. This complex exercise was completed with minimal disruption to business continuity".

eDiscovery Solution

In a head to head comparison with another solution, Cobbetts and CY4OR selected the Clearwell eDiscovery Platform by Symantec because of its ability to complete the entire process, from collection to review, in a single application. The managed service solution provided by CY4OR allowed Cobbetts to take advantage of the proven features and benefits of Clearwell combined with the peace of mind that CY4OR were supporting them.

The 7TB of data collected from the first stage of the process was ingested into Clearwell. Using Clearwell's intelligent pre-processing, including removing known file types and filtering by date range, file type and custodian, CY4OR was able to reduce the amount of data to by 75% to just under 2TB. Cobbetts and their client benefited from proportional costs and targeted data to review.

Clearwell's automated analysis tools provided keyword guidance by revealing underlying concepts present in the case. Analysis of data enabled emails to be linked together into discussion threads so

that primary and peripheral participants could be identified. It was possible at this stage to answer questions such as who knew what and when.

43 reviewers from Cobbetts and their client logged in online to review and tag the smaller dataset created for responsiveness. Quality checks were performed before producing a disclosure list in the native format and the deadline for submission set by the Court was met.

“CY4OR worked closely with us and our client to complete a large case in a shorter amount of time than otherwise possible” explained Hainey. “We were impressed by how easy to use Clearwell was which enabled us to start reviewing with minimal training. Clearwell’s automated analysis capabilities ensured that CY4OR was able to significantly reduce the amount of irrelevant data before review. This dramatically reduced review time and these cost savings could be passed to our client.”

Benefits

- Rapidly and defensibly collected complex data across disparate systems
- Allowed Cobbetts to use a single solution for their entire process, eliminating load files
- Reduced the amount of data for review by 75%
- Ease of use of Clearwell enabled the case team to being work quickly under tight deadlines

Judgement

6th February 2013 - Mr Justice Supperstone handed down a ruling dismissing entirely claims for more than £43.5 million in damages for alleged deceit and flawed procurement under European regulations brought by Montpellier Estates Ltd against Leeds City Council.

He also rejected allegations of fraud and dishonesty against eight named individuals connected to LCC, including senior officers, a former council leader and professional consultants.

The judge, said that the council was perfectly entitled to bring the competitive tendering exercise to a close when other bids were found not to be good value for money and then to develop the arena itself.

He added that the authority acted both in good faith and lawfully and commented: “Montpelier Estates Ltd was, in my view, provided with proper reasons to abandon the competition”.