



Discovery and Data Management Global Guide

2023/24

A message from Benny Lee

Global Leader: Discovery and Data Management

Welcome.

Modern organizations continue to be focused on key issues relating to workforce, diversity, cyber and sustainability in an increasingly geo-political and pandemic disrupted landscape.

We believe that at the heart of these issues, lies an opportunity for the effective management of data to help our clients navigate these uncertain times more successfully. Building trust through transparency is an opportunity to better unlock business value to improve customer advocacy.

Deloitte's Discovery and Data Management practice continues to invest in core services and innovate in emerging specialist solutions. Our ambition is to continuously challenge the status quo by providing knowledgeable advice and embracing sustainable technologies to provide tangible outcomes with enduring value.

Benny Lee

Global Leader: Discovery and Data Management

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Discovery and Data Management (D&DM) Overview

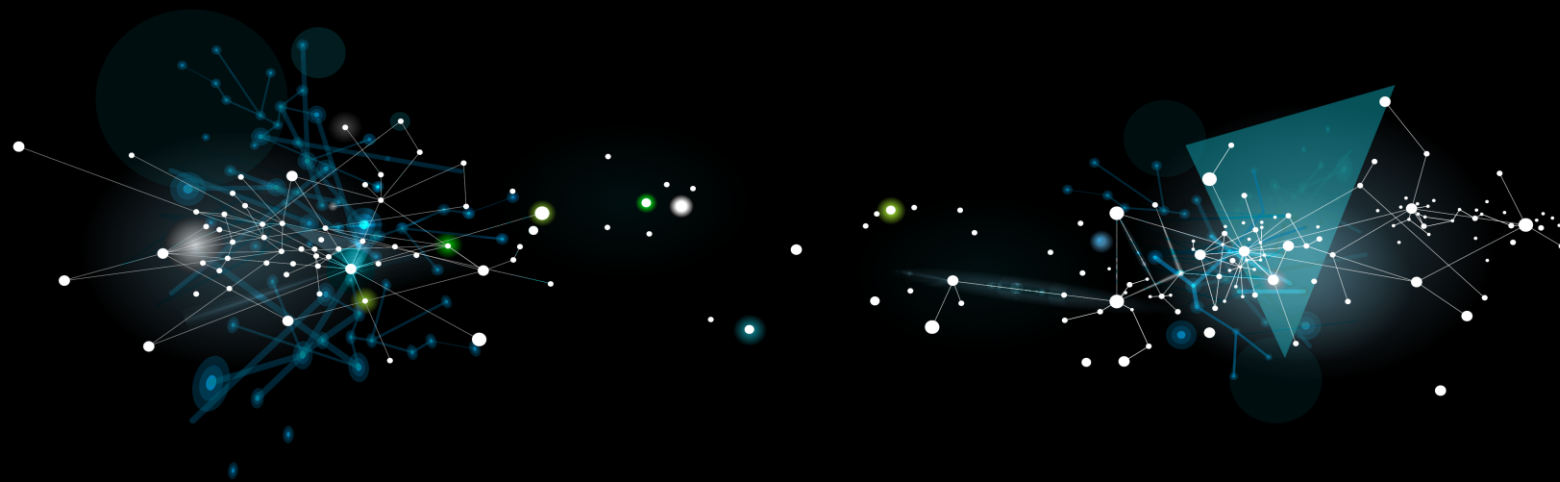
Confidence and clarity from complexity

D&DM

Deloitte D&DM helps our clients rise above the complexity of modern eDiscovery with confidence and clarity. Among a sea of consulting firms, big law firms, and alternative legal service providers (ALSPs), our clients choose Deloitte for the peace of mind that comes with our respected brand, breadth of relevant experience and deep insights on digital technologies that are paving the way to the future of legal.

Deloitte, as your trusted advisor, combines a global, respected brand, demonstrated quality and deep experience with innovations in smart workflow, machine learning/Artificial Intelligence (AI) and data management.

Deloitte D&DM offers our clients strategic advisory, litigation and investigation assistance, AI-enabled contract management, document review, cloud discovery, and data breach notification services.



Modern complexities from rising data volumes to emerging privacy laws have accelerated demands on corporate legal teams

Complex challenges facing corporate legal departments include:

- Complex and evolving regulatory environments create new and unplanned data obligations
- Unique and unpredictable events that create scaling challenges for corporate legal departments
- Increased concerns about poor data controls, security, privacy, and defensibility, with the need to implement governance across the discovery process
- The spotlight is on legal departments to do more with less, with a need to scale or align to enterprise Key Performance Indicators (KPIs)
- The explosion of technologies increases the pressure to automate, but teams often lack the level of IT support needed
- Inundated with large and complex sets of structured and unstructured data, often siloed, poorly understood and with accessibility issues

91%

of general counsel agree that there is an opportunity to modernize how legal services are delivered

Deloitte 2022 State of Legal Operations survey

71%

say that establishing better processes would help solve current technology challenges

Deloitte 2022 State of Legal Operations survey

69%

felt their attorneys were taking on too much administrative work

Deloitte 2022 State of Legal Operations survey

In today's demanding and complex environment, Deloitte helps legal departments rise above to modernize workflow, scale eDiscovery on-demand, and reduce organizational risk

How working with Deloitte can help your organization

- ✓ Leverage complex technology efficiently to drive cost-savings.
- ✓ Mitigate risk with playbooks for predictable, repeatable, and mature D&DM processes.
- ✓ Use defined KPIs to access and manage the efficacy of your eDiscovery program.
- ✓ Set long-term eDiscovery improvement goals and measure progress toward them.
- ✓ Provide dashboards to your leadership that highlight the progress to goals, cost savings, KPIs managed, and risk mitigated.
- ✓ Assist with freeing up time for your legal and technology teams to spend more time effectively managing eDiscovery, and less time doing it.



With Deloitte, you can...

- ✓ Know which, where, and when technology can assist to deliver significant value that outweighs the price.
- ✓ Build consistency of eDiscovery processes across matters to help buttress defensibility.
- ✓ Align to KPIs rooted in measures that impact results such as quality, cost, efficiency, and risk.
- ✓ Mature your eDiscovery programs around defined goals aligned to cost-saving, efficiency, and risk mitigation, and measure progress toward those goals.
- ✓ Provide dashboards to your leadership on project cost and overall progress toward goals and objectives.

The Deloitte difference

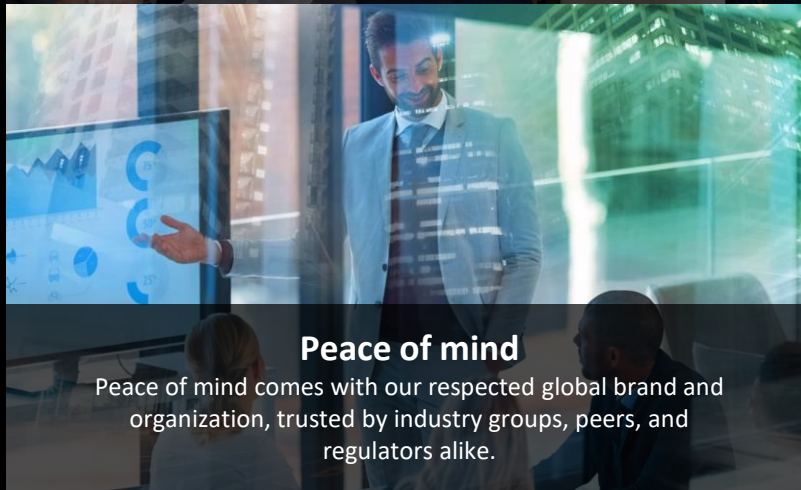
Our global network allows us to deploy 1400+ D&DM professionals 24/7 who are aligned and well versed in local and regional business needs, and legal and regulatory frameworks.



Market-leading experience
Market-leading experience and scale as part of a large, global operating network of discovery specialists offering leading practices derived from extensive experience in a variety of industries.



Deep insights
Deep insights and access to the technologies and platforms that are paving the way to the future of legal; constantly evaluating, integrating, and offering the most effective technology solutions for our clients.



Peace of mind
Peace of mind comes with our respected global brand and organization, trusted by industry groups, peers, and regulators alike.



Reduce risk
Reduce risk through performance-tested risk management strategies and leading practices that reduces risk, creates defensibility, and drive compliance.

Our people

A unique talent model and approach to service delivery

Talent

- A wide range of technical capability
- A spectrum of competencies
- Geographic diversity
- The Deloitte network
- Inclusive and diverse

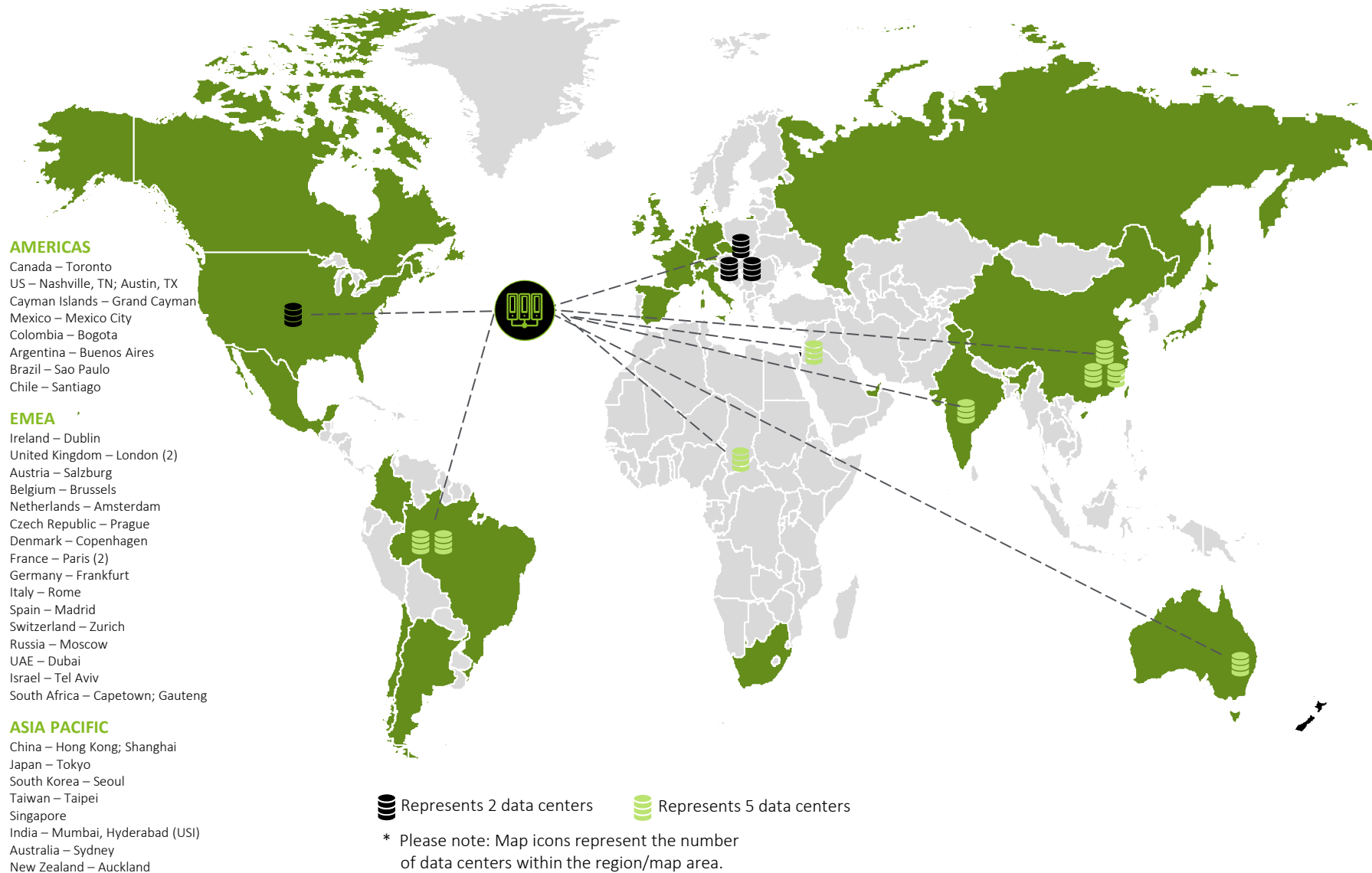


Delivery

- Consistent competency
- Portfolio approach
- Next generation technology/analytics

Our global delivery network

Network of over 35 Electronic Discovery Solutions Center (EDSC) GLOBALLY*



24/7/365
dedicated
client support



Deloitte
operates in
150+
countries



Deloitte has
400+
Delivery Center
professionals

EDSC

All services are provided at the Electronic Discovery Solutions Center (EDSC), in regional eDiscovery centers around the world and through professionals at client sites

FOIA Request Management Platform

A cloud-based workflow management system for government agencies that is designed to help process public information requests under the Freedom of Information Act

Cloud Discovery Lab

Use of forensic capabilities to identify, collect and analyze data, thereby supporting sensitive investigations

Deloitte's D&DM Solutions

Deloitte's D&DM Solutions

How we can help you:

Core D&DM Services

- Advisory & litigation support
- Collection
- Processing
- Hosting
- AI enabled data review services
- Discovery program management

Specialty D&DM Services

- Digital forensic & technology investigations
- Technology advisory & expert witness
- Data breach & privacy notification
- Data remediation
- Information governance programs
- Claims management
- Legal intake & workflow management
- Contract management & analytics
- Communications monitoring
- Structured data analytics



Core D&DM service descriptions

Advisory & litigation support

Deloitte helps clients understand the drivers and challenges for each stage of discovery; ultimately providing a specific vision of where an organization stands on a capabilities maturity continuum, and then developing an operating model based on our clients' industry, regulatory, and regional requirements. We assist clients in assessing how their people, processes and technologies in the areas of information governance and records management impact discovery timelines and spending.

Litigation Support helps clients facing litigation with investigative, discovery, deposition preparation, trial support and expert witness services including, forensic accounting, data analytic, computer forensic, economic and statistical consulting. Our consultants possess deep industry and regulatory knowledge and experience assisting clients with a wide range of disputes.



Collection

Deloitte maintains full digital forensic lab capabilities in key data protection jurisdictions around the world and has invested in multiple collection technologies to support the required platform in the required country. We regularly test and update our methodologies to provide multiple options as platforms and even regulation changes. Following a comprehensive mapping exercise, data is collected, preserved and forensically secured in the most appropriate format for the matter at hand.



Processing

Deloitte uses industry leading data processing technologies to help with the pre-culling, culling, and processing phases of an engagement. We are able to scale and configure each project to the unique specifications that the case demands by leveraging on premise or Software as a Service (SaaS) platforms. In addition, we have EDSC located in 35 countries and each location supports processing capabilities. Large-scale processing takes place in our primary data centers, and Deloitte has the ability to set up short-term processing and hosting environments in virtually any Deloitte or client location, as needed.



Core D&DM service descriptions *(continued)*

Hosting

Deloitte offers multiple secure online hosting and review options for our clients. Depending on the matter type, data volumes, case theory, and number of concurrent users, we have scalable offerings to meet specific needs. Deloitte also has the ability to quickly set up short-term processing and hosting centers at Deloitte offices, client facilities, or other sites—using either preconfigured mobile units or standard technology stacks that we can ship from our primary data centers to the desired location.



AI enabled data review services

Deloitte's Document Review Services team assists your organization and your legal counsel by helping to improve the overall document review process. Our focus is on streamlining the review, improving accuracy, and creating cost savings through leading practices and workflows such as pre- and post-processing data culling, the use of predictive coding and other analytics, and providing real-time reporting. In addition, we can provide consultative support to your outside counsel regarding quality control workflows, privilege logs, and document chronologies and synopses.



Discovery program management

Deloitte's Program Management Office (PMO) is core to executing a consistent, innovative, and collaborative discovery program. Delivering value through coordinated reporting, consistent workflows and continuous feedback to drive greater efficiencies and cost management through learnings from each project.

The PMO provides clients with clarity across projects—from identifying the first point of contact for new matters through to a consistent intake process through to project execution and closeout. It drives consistent global standards enabling the extraction of actionable intelligence to measure, manage and improve discovery workflows. The PMO, has oversight of the global playbook detailing processes and specifications for project delivery. Through the global playbook, the PMO is able to align practitioners across the globe for consistent workflows and work product execution.



Specialty D&DM service descriptions

Digital forensic & technology investigations

Deloitte has decades of experience in conducting complex technology investigations, digital forensic incident response, mobile device analysis, cloud discovery, expert witness and proactive advisory services. Whether you need to react quickly and confidently, or work proactively in relation to a crisis, investigation or dispute, we'll help you deliver valuable intelligence to understand the who, what, where, when, why and how of the issue.

Technology advisory & expert witness

Deloitte has decades of experience supporting clients with critical matters and is well placed to advise on which technology clients should select and implement in-house, whether responding or reacting to litigation, investigation, or regulatory matters. Our team makes sure that the selected technology is properly implemented and meets client needs by building a flexible end-to-end operating model. Our global specialists are also able to act as expert witnesses in support of a technology dispute or technology investigation.

Data breach & privacy notification

Deloitte works with clients dealing with a data breach to automate as much of the PII review process as possible by leveraging PII identification tools and technology accelerators. These proprietary tools and workflows allow us to help clients to quickly identify PII and reduce the costs associated with a full review of the affected data set. In many markets, Deloitte is the only end-to-end provider of incident response services (providing services related to threat containment, Forensics, Dark Web monitoring and Breach coach services through our affiliated law firm, Deloitte Legal, as well as PII review services).

Data remediation

Deloitte's data remediation services helps organizations reduce their stored data volumes by identifying and removing unnecessary data. Employee involvement in the disposition decisioning reinforces corporate records policies and provides a valuable model for ongoing data hygiene. The use of data segmentation and classification tools inform employee decisions on what to keep, where to keep it, and what data can be defensibly deleted from legal and regulatory compliance perspectives. Well defined corporate legal hold and records processes are foundational for the success of these initiatives.

Structured data analytics

Deloitte performs research and analysis that goes beyond the standardized search criteria found on common eDiscovery platforms. We work closely with you and industry specialists to extract and analyze structured data from disparate systems and link that data to unstructured data. We leverage experience and leading edge technologies to create rule- sets and predictive models designed to provide clarity on complex, data-intensive cases. Additionally, we provide you with customized reporting through the analysis of text and structured data to provide a more transparent view and ultimately a better understanding of the matter.

Specialty D&DM service descriptions *(continued)*

Information governance programs

Deloitte helps clients assess, develop, and implement improved policies and processes that both drive business efficiency through collaboration and organizational trust in information, as well as enable compliance with requirements to both retain and dispose of records in timely accordance with a broad and shifting set of regulations.

We accomplish this through both traditional strategic consulting engagements that involve assessment, gap analysis, and future state road maps for client programs, as well as supporting tactical efforts at data classification in the service of data disposition, including remediation, cloud migration, or M&A activities.

Claims management

Deloitte has developed a claims management solution which offers clients a secure, flexible and robust platform to run and manage their class actions with a claims management requirement. Our solution starts with claims intake through claims review and validation, all the way through to claims processing and communication to the end claimant. The platform enables claims management teams to quickly adapt to ever-changing requirements and rulings in a cost-efficient manner without reducing usability or customization abilities. Our claims management platform is suitable for claims matter of various sizes with the ability to quickly scale up; it can support hundreds of personnel working within the system at once with various teams and responsibilities built into the platform's process.

Legal intake & workflow management

Deloitte helps clients design, configure and integrate existing enterprise technologies to better connect the business and legal functions. The use of pre-determined workflows, legal front door functionality, self-service capabilities, knowledge management and automation helps to bring clarity, operational efficiency and accountability to disjointed processes and teams.

Contract management & analytics

Deloitte's AI-enabled contract management services helps you build, review, and manage a contract lifecycle framework that helps sustain and secure your business interests, while bringing efficiency into the process. We can help you identify key contracts faster to better facilitate the enforcement of your rights, renegotiate contracts, and identify potential areas of lost revenue or stranded costs.

Communications monitoring

Deloitte helps clients perform proactive monitoring of internal and external communications to identify higher risk interactions that may require compliance remediation efforts. Ongoing business milestones, market events and proliferation of alternative communication channels can increase monitoring complexity and cost—our AI enabled monitoring solution has reduced overall review time by upwards of 50% and improved risk detection for our clients.

Core D&DM services across the globe

	COUNTRY	Advisory & Litigation Support	Collection	Processing	Hosting	AI Enabled Review	Discovery Program Management
Americas	Brazil	♦	♦	♦	♦	♦	
	Canada	♦	♦	♦	♦	♦	♦
	Caribbean and Bermuda countries	♦	♦	♦	♦	♦	♦
	Chile	♦	♦	♦	♦	♦	♦
	United States	♦	♦	♦	♦	♦	♦
EMEA	Austria	♦	♦	♦	♦		♦
	Belgium		♦	♦	♦	♦	
	Central Europe	♦	♦	♦	♦	♦	♦
	France	♦	♦	♦	♦	♦	♦
	Germany	♦	♦	♦	♦	♦	♦
	Ireland	♦	♦	♦	♦	♦	♦
	Israel		♦	♦	♦		♦
	Italy	♦	♦	♦	♦		♦
	Middle East and North Africa	♦	♦	♦	♦	♦	♦
	Netherlands	♦	♦	♦	♦	♦	♦
	Nordics	♦	♦	♦	♦	♦	♦
	South Africa	♦	♦	♦	♦	♦	♦
	Spain	♦	♦	♦	♦	♦	♦
Switzerland	♦	♦	♦	♦	♦	♦	
United Kingdom	♦	♦	♦	♦	♦	♦	
APAC	Australia and New Zealand	♦	♦	♦	♦	♦	♦
	Southeast Asia	♦	♦	♦	♦	♦	♦
	Taiwan	♦	♦	♦	♦	♦	
	China	♦	♦	♦	♦	♦	♦
	India	♦	♦	♦	♦	♦	♦
	Japan	♦	♦	♦	♦	♦	♦
	Korea	♦	♦	♦	♦	♦	

Specialty D&DM services across the globe

	COUNTRY	Digital Forensic & Technology Investigations	Technology Advisory & Expert Witness	Data Breach & Privacy Notification	Data Remediation	Information Governance Programs	Claims Management	Legal Intake & Workflow Management	Contract Management & Analytics	Communications Monitoring	Electronic Hearings & Evidence Presentation
Americas	Brazil	♦	♦	♦				♦	♦	♦	
	Canada	♦	♦	♦	♦	♦	♦	♦	♦	♦	
	Caribbean and Bermuda countries	♦	♦	♦	♦	♦					♦
	Chile	♦	♦	♦	♦	♦	♦	♦	♦		
	United States	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
EMEA	Austria	♦	♦	♦	♦						
	Belgium	♦		♦	♦				♦		
	Central Europe	♦		♦	♦	♦	♦	♦		♦	
	France	♦		♦	♦	♦			♦		
	Germany	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
	Ireland	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
	Israel	♦	♦	♦	♦	♦					
	Italy	♦	♦	♦							
	Middle East and North Africa	♦	♦		♦	♦					♦
	Netherlands	♦	♦	♦	♦	♦					
	Nordics	♦	♦	♦	♦			♦	♦		
	South Africa	♦	♦				♦		♦	♦	♦
	Spain	♦	♦		♦		♦	♦	♦	♦	
	Switzerland	♦	♦	♦	♦	♦		♦	♦	♦	
	United Kingdom	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
	APAC	Australia and New Zealand	♦	♦	♦	♦			♦		♦
Southeast Asia		♦	♦	♦	♦	♦			♦		
Taiwan		♦	♦	♦		♦				♦	♦
China		♦	♦	♦	♦	♦			♦	♦	
India		♦	♦	♦	♦	♦	♦	♦	♦	♦	♦
Japan		♦		♦	♦	♦			♦	♦	
Korea		♦		♦	♦	♦					♦

AMERICAS

Caribbean and Bermuda countries

Overview

The complexity and volume of business-related data in today's corporate climate means businesses in the Caribbean and Bermuda Countries (CBC) are under increasing pressure to understand the data captured during day-to-day business activities. Deloitte in the CBC helps businesses by using technology to change perspective and see further.

The CBC region primarily serves businesses located in, or with interests in, the English-speaking Caribbean. We have a keen understanding of a variety of industries and sectors with a specialized focus on Financial Services, Regulatory matters, Tourism & Hospitality, the Public Sector, and Oil & Gas. We have assisted several clients on many complex, multi-jurisdictional litigations, insolvency, regulatory and investigative matters involving banks, hedge funds, captive and reinsurance companies, corporate service providers, and special-purpose vehicle companies.

Deloitte has a full-service Discovery data center in the Cayman Islands that enables us to keep data resident in Cayman and does not rely on the need to on-shore data for processing, hosting, analytics or review. This allows us to control both data residency for regulatory purposes and the costs of hosting data for cases, which is especially important in contentious insolvencies where assets may be limited. Furthermore, we have deep experience in leveraging technology and analytics to assist companies and firms involved in the review of documents for disclosure in fair value appraisals, fraud and financial crime cases, confidential information disclosure, and mutual legal assistance treaty (MLAT) productions.



Location

Grand Cayman, Cayman Islands

Professionals

LEVEL	# OF PROFESSIONALS
Partner, principals, managing directors	2
Senior managers	2
Managers	3
Staff	10

Leadership



Nick Kedney

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John J White

Director

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Caribbean and Bermuda countries

Representative engagement #1: Forensics services



THE BUSINESS CHALLENGE

Deloitte was engaged to provide discovery and forensic services for a complex, multinational fraud investigation in multiple regions of the Caribbean. In short order, we had to deploy significant staff and resources both in the Cayman Islands and across the Caribbean to meet aggressive goals and timelines.

THE SOLUTION

Deloitte deployed Relativity and Brainspace, developed an evidence management system to the client's requirements, and collected over 50 terabytes of electronic data from over 5,000 sources. Custom analytics tools have been used to prioritize the processing of data sources and reduce the overall document population. First pass and forensic reviews have been conducted by the client and engagement team across multiple jurisdictions and have been complimented by artificial intelligence and machine learning to expedite the identification and review of critical documents.

THE OUTCOME/ROI

Through the implementation of technology and bespoke workflows, our teams were able to provide solutions for the rigorous challenges the client was facing. Our solution was also designed in a way that the impact of travel restrictions did not result in any stoppages that would otherwise have been necessary when teams could no longer work on location in person. This includes the ability for teams to continue their forensic work from their home jurisdictions using collaborative and asynchronous tools and platforms.

Representative engagement #2: Companies Law



THE BUSINESS CHALLENGE

Fair value appraisals where minority shareholders dissent, brought under Section 238 of the Companies Law in the Cayman Islands, typically involve the need to collect and review data from multiple international jurisdictions. With the continued evolution of data protection laws, this can be very challenging processes for the companies and individuals involved. Our team has unparalleled experience helping our clients navigate through this process in the most cost effective and efficient way. This may require support for litigation teams in multiple jurisdictions, working in different languages and complying with differing data protection requirements.

THE SOLUTION

Working with our clients and our global network of Discovery professionals, we can help guide stakeholders through this process with unique workflows to ensure companies and individuals are able to review and produce the needed materials while maintaining confidence that data protection laws are observed. Our custom workflows using machine translation, artificial intelligence (AI) and machine learning allow reviews to be conducted in an iterative fashion.

THE OUTCOME/ROI

Through the use of AI, we are able to reduce the overall volume of documents that need to be reviewed for relevance so the specialized review teams can focus on the data protection and privacy issues. All these processes, when taken in whole, allow the legal teams to act on the most responsive and important documents without needing to wait for the entire review to be done. This iterative process also enable the legal teams to control and tune the first pass review while it's happening.





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