

Deloitte Discovery

Leaders in Section 238 Discovery Services

Case law in the Cayman Islands has emphasised the importance of disclosure obligations during Dissenting Shareholder actions under Section 238 of the Companies Law. With a recent Cayman Islands Court of Appeal decision extending disclosure obligations to Dissenting Shareholder parties, the need for a clear and precise Section 238 Discovery workflow has never been more important.

Deloitte Discovery can help you ensure your disclosure processes and outcomes are defensible, efficient, and accurate.

About Deloitte Discovery

Deloitte Discovery is one of the industry's largest global discovery services providers, with highly skilled professionals in more than 35 countries throughout the member firm network of Deloitte Touche Tohmatsu Limited, serving multinational corporations, law firms and government agencies in complex litigation and regulatory matters. Deloitte's multimillion dollar investment in discovery technology, analytics, and global resources provides its clients with a variety of options to help control costs and mitigate risks throughout the discovery process. As a non-legal service provider, Deloitte's discovery and document review services are delivered under the direction and supervision of its clients' legal counsel.

Our Experience

Deloitte assists parties to fair value appraisal proceedings pursuant to Section 238 by applying tailored discovery workflows, advanced analytics, review management, and proprietary accelerators to reduce the time and cost associated with disclosure.

Deloitte Discovery's team of highly qualified professionals include digital forensic, e-discovery, and analytics experts, experienced both in complex disputes and large-scale litigation. Our team has worked alongside attorneys, valuation experts, and other professionals to provide end-to-end Section 238 litigation support.

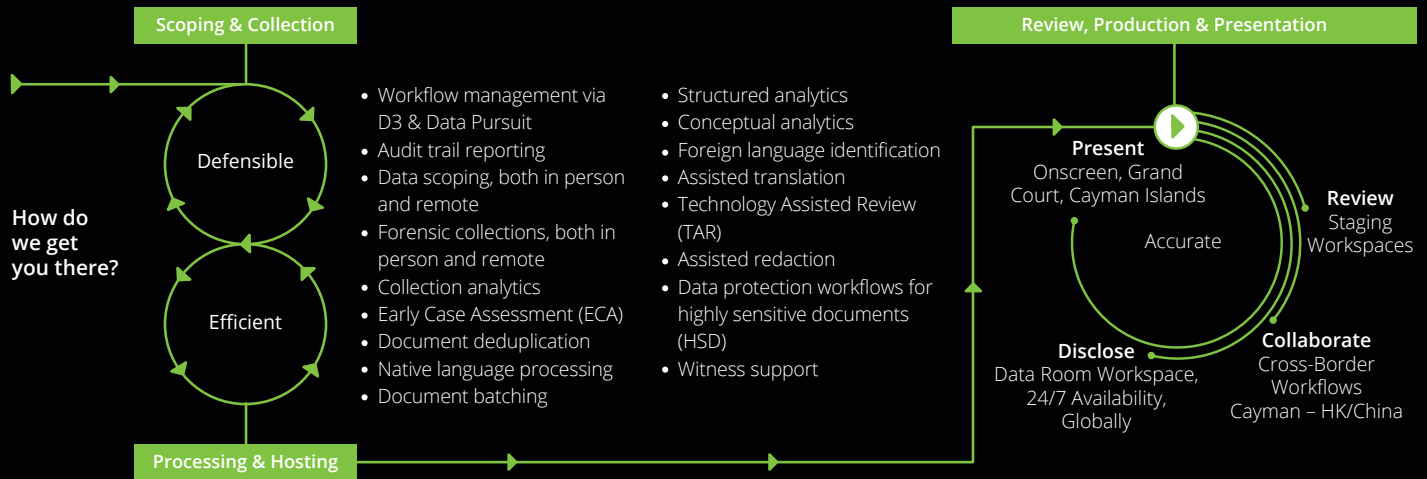
Our team leverages skills in information management, data mining, review support, advanced analytics, and other proven technologies to provide clients with the necessary digital forensics and litigation support required.

With Deloitte Discovery, you have access to our local experts and data centre, and the use of our global Discovery network that includes experts located in Hong Kong, mainland China, and all major jurisdictions worldwide.

Deloitte named a global leader in Disputes and Litigation Consulting, based on capabilities, by ALM Intelligence:

"Its [Deloitte's] analytics capabilities around e-discovery and the litigation process are industry leading."

Source: ALM Intelligence; Disputes and Litigation Consulting 2017; ALM Intelligence estimates © 2017 ALM Media Properties, LLC. Reproduced under license.



Our Services

Data Scoping and Collection

We have proven tools and methodologies for the scoping of various data repositories, including hard copy and electronically stored information (ESI). ESI sources can be forensically and defensibly collected either remotely or locally with teams around the globe. Our data management system tracks all decisions made from identification to production, allowing counsel to respond quickly to document inquiries during trial or at any point during disclosure.

Data Processing and Hosting

We use Relativity as our preferred platform for seamlessly processing and hosting ESI. Data is processed in a manner that preserves the native language of documents, including Asian character sets, allowing the documents to appear in the Relativity viewer as they would appear in the native document. Structured analytics are applied to offer better insight into a set of documents prior to review, including the identification of non-English language documents to be queued up for machine translation on our platform.

Review Management

We deploy specifically designed workflows and use analytics to reduce and organise documents in an effort to expedite the review process. We have managed document review projects of varying sizes and types, from the small to the very large involving millions of documents and dozens of reviewers. For each review, however, we will focus on streamlining, improving accuracy, and creating cost savings through use of leading practices and workflows, and by application of our workflow accelerators. In addition, as part of review management, our experienced team of local forensic accountants and analytics professionals provide consultative support regarding quality control workflows, and information analysis. Using case management tools in Relativity, we assist in developing chronologies and synopses, interview preparation for witnesses, and assistance with trial preparation.

Document Production

We ensure quality and accuracy of disclosure, using complex analytics to identify inconsistencies in coding and redactions prior to production. Produced documents are published into a separate data room where opposing parties have customisable and controlled access to the data.

Courtroom Presentation

Our team can provide in-trial support including the organisation and provision of electronic document bundles and on-screen document presentation in the Court of the Cayman Islands. Our on-island team can provide pre-trial preparation, infrastructure, and equipment to facilitate electronic presentation, and onsite technical and litigation support during the trial process.

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