



Inside Counsel Give Top Tips for Controlling E-Discovery Costs in New FTI Technology Study

November 4, 2009

Webinar and Study Highlight Advice from Fortune 1000 Counsel for Controlling E-Discovery Costs

NEW YORK, Nov. 4 /PRNewswire-FirstCall/ -- FTI Consulting, Inc. (NYSE: FCN), the global business advisory firm dedicated to helping organizations protect and enhance their enterprise value, today announced the results of an FTI-funded study of in-house counsel and e-discovery professionals. The findings, as well as several tips from interviewees on how to control e-discovery costs, are available for download from *FTI Technology* and highlight many of the common steps companies have successfully taken to *reduce the overall cost of e-discovery*.

"Nearly three years after the *Federal Rules of Civil Procedure (FRCP)* were amended, many corporations have made great progress in implementing both short-term tactical and long-term strategic plans for e-discovery," said Adam Cohen, senior managing director of FTI Technology. "The study highlights specific *e-discovery best practices* in effect today at leading corporations, and can serve as a practical guide for all corporate counsel in targeting and improving this complex and costly process."

Among the findings:

- Legal review: 72% of respondents cited legal review as the most expensive phase of e-discovery, and gave numerous suggestions from experience on how corporations could reduce costs.
- Using fewer providers: 97% of respondents cited using fewer providers to support the e-discovery process as one of the more important considerations in the selection process.
- Defensibility: The most important factor for selecting both software and legal services was defensibility, with 62% naming it as a top factor in selection of e-discovery software and 52% for legal services.
- E-discovery vendor viability: Ahead of cost, corporate counsel prioritized selecting a provider with long-term viability, given many uncertainties in the rapidly evolving e-discovery market. Viability was listed as the second most important factor when selecting a software vendor (by 41%) and a legal service provider (by 45%).
- In-house control: 86% said they had developed and implemented more effective and holistic information management, retention and destruction policies, and had also reduced the overall amount of data in-house to streamline review.
- E-discovery cost savings: Cost was cited as the third and fourth most important factors respectively when selecting legal service providers and software.

"As part of this study I spoke with an in-house legal team member that had reduced their e-discovery and legal fees by as much as \$2 million in one year through implementing more efficient legal review software and processes," said Ari Kaplan, legal consultant and principal of Ari Kaplan Advisors. "The findings are exciting in that they go beyond theoretical best practices and show tangible, quantifiable evidence of the measures that corporations are using to *reduce e-discovery costs* today."

The study targeted Fortune 1000 companies and is based on interviews of 29 inside counsel, project managers, records managers, and IT leaders with responsibility for e-discovery. Representing companies from some of the most litigious and regulated industries, including financial services, energy and pharmaceuticals, 93% of respondents were from Fortune 1000 companies and nearly half of the respondents were from companies with total annual revenues greater than \$10 billion. Interviewees were asked to share their advice with those just beginning the e-discovery process, and answered a number of questions relating to the most expensive steps in e-discovery and their own strategies for controlling e-discovery costs. Interviews were conducted by Ari Kaplan, legal consultant and principal of Ari Kaplan Advisors, during the summer of 2009.

FTI will host a November 5th Web seminar on the findings with Ari Kaplan of Ari Kaplan Advisors and Adam Cohen of FTI Technology. To register for the event, please visit the *FTI Technology site*.

For more information on FTI Technology, please visit www.ftitechnology.com.

About FTI Consulting

FTI Consulting, Inc. is a global business advisory firm dedicated to helping organizations protect and enhance enterprise value in an increasingly complex legal, regulatory and economic environment. With more than 3,500 employees located in most major business centers in the world, we work closely with clients every day to anticipate, illuminate, and overcome complex business challenges in areas such as investigations, litigation, mergers and acquisitions, regulatory issues, reputation management and restructuring. More information can be found at www.fticonsulting.com.

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