



RAND Report Explores Conflict Between European Data Privacy Laws and E-Discovery Requests

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FTI Technology-Sponsored Report Provides Guidance for Global Corporations Involved in FCPA or Legal Matters Requiring Multinational Data Transfers

WEST PALM BEACH, Fla., Dec. 7, 2010 /PRNewswire via COMTEX/ --

FTI Technology LLC, the e-discovery business segment of global advisory firm [FTI Consulting, Inc.](#) (NYSE: FCN), today announced the availability of a [RAND Europe](#) report entitled "[E-Discovery and Legal Frameworks Governing Privacy and Data Protection in European Countries](#)." The complimentary report, which is available for download at the [FTI Technology site](#), provides guidance on a common challenge for multinational organizations: preserving EU citizens' right to privacy versus the duty to produce relevant emails and documents for legal or regulatory investigations.

"Whether for the Foreign Corrupt Practices Act (FCPA), the UK Bribery Act or a multinational legal matter, many corporations struggle with how to collect and produce relevant information in a safe and defensible manner," said [Joe Looby, senior managing director practicing in the FTI Technology business segment](#). "While multinational e-discovery is complex, this RAND Europe report shows that there are reasonable processes that legal teams can follow."

Incorporating guidelines from the [European Directive's Article 29 Working Party](#), the [Sedona Conference](#), as well as national data privacy experts from five European countries, the RAND report is a practical review of data privacy requirements and processes that will help corporations and law firms legally collect, process, review and transfer data for litigation, regulatory requests or investigations in line with European values. For those involved with multinational e-discovery, the report includes a checklist of recommended actions, as well as an appendix of country-specific requirements for France, Germany, Spain, Switzerland and the United Kingdom.

"With this study, we identify a set of measures designed to support accountability in respect of companies meeting their joint and often conflicting obligations under the differing US and European legal frameworks," said [Neil Robinson, report co-author and senior analyst for RAND Europe](#). "Such options might include redacting documents in country, use of a privacy log, or assigning a suitably qualified and appropriate third party to adhere to the European legal framework."

In compliance with these guidelines, FTI Technology offers [FTI Investigate](#), a discovery offering designed to handle data collection and assessments quickly and defensibly at client sites, regardless of geographic location. FTI experts, equipped with the company's suite of [market-leading e-discovery software](#), can conduct an end-to-end investigation - from collection to analysis and on through document production - at client sites to ensure a defensible process in compliance with country-specific data privacy requirements. FTI Investigate reduces the complexity and risk of discovery, allowing corporate legal and compliance teams, as well as their law firms, to focus on legal strategy.

"Because of the disparity between US and European data privacy laws, multi-national corporations are often surprised by how difficult it can be to collect data from European offices and transfer it to the United States," said [Craig Earnshaw, managing director practicing in the FTI Technology business segment in London](#). "With FTI Investigate, clients know that the discovery process is defensible and can stand up to scrutiny in the courts or with regulators."

For more information on the RAND Europe report, FTI Investigate or other FTI Technology software and services, 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 3,600 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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