

E-Discovery Pricing Predictability: An Ongoing Debate

Speakers

- ◆ Eric Lieber - Toyota Motor Sales (Moderator)
- ◆ Kathryn Goetz - Qualcomm
- ◆ Jennifer Hamilton - Deere & Company
- ◆ Gene Earnes - Pfizer Inc
- ◆ Rose Jones - King & Spalding LLP

Price Predictability

- ◆ How did we get here?
 - ◆ Growing Volume of Electronic Data
 - ◆ Continual Software and Hardware Development
 - ◆ E-Discovery Expertise

Defining the Right Fixed Fee Option

- ◆ What does fixed fee really mean?
- ◆ Where can fixed fees be used
 - ◆ Preservation
 - ◆ Collection
 - ◆ Processing
 - ◆ Review
 - ◆ Production

What Should Be Included in Fixed Fee Arrangements

- ◆ Processing
- ◆ Technical Support
- ◆ Project Management
- ◆ Technology - Advanced Analytics
- ◆ User Fees/Licensing fees
- ◆ Productions
- ◆ Migrations to New Releases of Platforms
- ◆ Repetitive tasks

Fixed Fee

- ◆ Pros
- ◆ Cons

Sharing the Risks

- ◆ Vendor
- ◆ Corporation
- ◆ Outside Counsel Fixed Fee Agreements

Considerations

- ◆ Volume Measurements
- ◆ User Access
- ◆ On-Line vs. Near Line
- ◆ Visibility into What Work is Being Performed
- ◆ The Unknown Considerations
- ◆ When Does Time and Materials Make Sense

Trepidations

- ◆ Do Not Sacrifice Quality for Cost

Negotiating Fixed Fees

- ◆ Considerations
- ◆ RFP Process (Apples to Apples)
- ◆ How To Achieve A Fair Game

Capacity

- ◆ Bursting Capacity
- ◆ Data Load Capacity
- ◆ Dedicated Staff

Questions?