Finding Relevant Documents When the Richness is only 0.025%

The Case

Haynes and Boone was representing a manufacturing company in an employment discrimination and retaliation case.

The Challenge

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The defendants had a list of search terms to work with, but these terms returned more false positives than relevant documents. The case team at Haynes and Boone reviewed 3,000 documents with the idea that they might use predictive review as an aid. When the review only turned up eight responsive documents in that set of 3,000, it was clear that a change in strategy was required.

The Solution

First, a more focused set of search terms was identified in the eight responsive documents that the reviewers had found, and new searches were run on those terms, returning 804 documents. The 804 documents were coded using Predictive

The Numbers

113,000 documents

Only 25 documents were produced

Richness was .0.025%

1,700 documents reviewed per hour

The Process

Predictive Review

Focused Search Terms

Clusters and Batches

Bulk Coding

Statistical Sampling

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Review in hopes that the system would find additional documents.

Second, to reduce the review set, they ran a search on non-responsive terms, with a return of approximately 30K documents. These documents were reviewed using Table View for a quick verification that they were indeed non-responsive.

Third, the documents that were not included in either search result were clustered. Review batches were created from these groups.

Next, reviewers focused on metadata fields. Rather than read every document, the review team of 4 attorneys used Table View to scroll through and bulk tag documents based on the To/From/Subject for emails or file name for documents. Using this method, the 4 attorneys reviewed 80,000 documents in 45 hours, or 1,700 documents per hour.

Finally, they used statistical sampling to perform QC.

"This project required flexibility from both the legal team and the technology."

Patti Zerwas,
Discovery Project Manager

The Result

The defendant produced only 25 documents from the set of 113,000. The small number of relevant documents indicated that there was minimal conversation about the employee/plaintiff. The defense team felt that they were ready for trial. The trial ended with a positive outcome for our client.