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Litigation Management Technologies Newsletter

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Dear Michelle,

LMT announces your new bi-monthly newsletter and resource for litigation support. You have asked for a book on Summation, so we delivered, "*Summ it Up*". You will also find helpful information in our "Frequently Asked Questions" series together with other services, tips, tricks and traps. If you find this helpful, please forward it to a colleague. Enjoy!



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ESI and Your Summation DB Headline

This will be a four part series on electronically stored information, ("ESI") and your Summation Database. In my opinion there are four phases for discussion: Collection, Processing, Review and Production. In this issue, we'll focus on Collection.



Depending on the needs of the case and/or the request for the production, collecting the data can vary. Simply copying the data from one computer to a CD can be performed with standard tools such as Windows Explorer. The computer system maintains properties about a file such as the date and time it was created, modified or last accessed. These properties are modified when the file is copied. For example, if a Word document was copied from a computer over to a CD, the *creation date* would be altered representing the date the file was copied over to the CD as the creation date. This is one of many things to consider when asking the client to copy files from servers, hard drives, flash drives or any type of media.

Since collecting ESI is such a new technique, while it is not a

Introducing

"Summ it Up"

by Michelle Kovitch

Providing you with the necessary step-by-step "how to" and "when to" use tools that are available to your litigation team throughout the various phases of litigation. Each chapter mirrors the timeline of a case and provides you with a variety of checklists that can be easily incorporated into your practice. This guide will serve as the catalyst to:

- Bridge the communication gap between IT, the litigation staff and service bureaus
- Implement technology into your practice

preferred method, many clients collecting data at the request of the litigation team follow a method such as this:

- The client notifies the staff of the need to collect e-mail, in boxes, sent items, deleted items, etc.;
- The staff locates all responsive e-mails and *forwards* them to their manager;
- The client then *forwards* them to the attorney or paralegal;
- The attorney or paralegal then load them into the database.

The problem with this method is that an electronic chain of custody trail now exists on these files. Each person that forwarded and/or received the item is now part of the thread and will be revealed on each piece of discovery.

Leveraging the knowledge of your in-house ediscovery committee regarding how the data should be collected for the needs of the individual case can usually identify a clear path as to whether the data can be *copied, harvested or imaged*.

Copying: Can be done with standard tools like windows explorer and obtains active data, but will almost always change some metadata like the last access date/time of files;

Data Harvesting: uses special tools to capture active data without changing any of the metadata. This will not retrieve any "deleted" data located in "slack" or "unallocated" space on the drive. When a file on a computer is deleted, the file actually remains on the computer but is tagged as unallocated space. Until the space is used again or becomes "allocated" it is possible to retrieve the file. Interview the approved service bureaus the firm may already employ to explain how they might provide these services;

Imaging: uses special tools to capture an exact bit by bit copy of all data on a drive, which allows you to recover deleted files located in "slack" or "unallocated" space.

After considering these options and the needs of your case, it should be easier to identify which process to use. Your involvement in each of these four phases (collection, processing, review and production) will have a direct result on how your database performs for you throughout the life of your case. Encourage your team to get involved in these decisions instead of just asking someone to "get it in there".

Our Next Issue will focus on *Processing*



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FAQ's
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Does Summation take PDF's?

Yes. The preferred file format for litigation support tools are single page .tiff files however Summation supports image formats including .tif, jpeg, bmp, gif and wmf.

Imaging is so expensive, How do firms handle that?

The expense of imaging should be comparable to having copies made by your local service bureau. It should also be noted that expenses that are saved over the life of the case not only by having a centralized copy for each member of your team to access but also eliminates the number of times the documents are copied and misplaced over and over again.

Do PDF files have to be OCR'd to be searchable?

Yes or you can code information about the image file which can also be searchable. A PDF file with embedded text should be loaded as an edoc.

Can you right-click on a PDF file in Adobe Acrobat and send the document directly to Summation?

When you become convinced that you benefit from outsourcing the objective coding for your documents, it will be easier to convince your client as well. The ability to put every document exchanged during discovery in chronological order with a 'click' is priceless. But the task of coding can be tedious and time consuming. Weigh out what costs more? Outsourcing the task or having your staff code?

Give us a try - *I am your project manager* and we are experienced to understand your needs. We are professionally staffed and equipped, our centers are on-site and offer resources tailored to client specifications. You and your client benefit from our [litigation background and experience](#) because we provide:

- Exhaustive planning before and during each project
- Large production capacity that can satisfy demanding delivery schedules
- An absolute quality guarantee - we stand behind our work
- A dedicated staff that is accessible and responsive
- Diligent project management and reporting throughout the project
- The technical expertise to master any delivery format

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No.

How do you search for records which have images?

Refer to the #Image field for a value, i.e., <#image exists>

Who fills in the HasImage field when an image is added; i.e., automatic or done by user?

The system populates the field with a value during the batch load. If the images are added manually, use the Update #Image and #OCR tool to check the summaries.

Can you compare two images side by side in Summation?

No, there is only one image viewer.

Watch for Part II of FAQ's in our next newsletter.

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User Groups

CT Summation User groups are now active in Atlanta, Jacksonville and Columbia. This is a free resource designed to provide a forum for you to network and share your experiences with Summation, work through new issues your firm may be facing and leverage from listening to experiences from others in your area. For information regarding a CT Summation User Group near you go to the Events page at

www.lmtsupport.com

Thank you for providing us the opportunity to be your CT Summation Reseller, Trainer and Consultant. Your feedback is welcome.

Sincerely,

Michelle Kovitch
Litigation Management Technologies

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