

IPRO Innovations 2009

8th Annual IPRO Conference
Chip Kohrman's Conference Notes



Chip Kohrman
E-Discovery Manager
Profile Imaging, Columbus, OH
Have notes/comments? Please share!
Email: ckohrman@gmail.com

IPRO State of the Union Address

Jim King – President/CEO, IPRO
John Peeke-Vout – Sr. V.P. Operations, IPRO
Rich Ruyle – CTO, IPRO
Joe Utsler – VP of Product Strategy, IPRO



Chip's Takeaway:

There's a future for IPRO with a roadmap, a proven process, and a lot of internal dedication and excitement. People are talking.

Jim King:

“The endless cycle of idea and action,
Endless invention, endless experiment”
(T.S. Eliot, Opening Stanza from Choruses from “The Rock”)

King stresses that the future requires endless innovation. He explains the success and growth IPRO has experienced in a down economy, is because they are addressing current needs, foreseeing future needs, and making significant financial investments into making necessary advancements.

John Peeke-Vout:

Implementing the Product Development Process
CEO buy-in
Rigorous use of testing group (sandboxing)
Increasing visibility

After more than 20 years in Silicon Valley, Peeke-Vout brings proven procedures and practices to IPRO. We can expect deadlines to be met, and releases to be tested, solid, and production-ready. Peeke-Vout clearly points out where IPRO has weakened, and the steps they are taking to turn the company towards a bright future.

Rich Ruyle:

“meeting tomorrow’s needs while still maintaining a 10 year focus”
Moving towards a plugin-friendly platform

Ruyle is market-aware. IPRO’s products seem to be conscious of today’s technology trends. I expect Eclipse to be a welcome relief to years of sub-par litigation review tools still in the market today. Ruyle plans to include plugin capabilities in eCapture to allow 3rd party development.



Joe Utsler:

Formerly known as “the Evangelist”

Moved to IPRO to offer a life boat to his previous clients

IPRO products are the “new breed”

Utsler has enthusiastically joined the IPRO family to help his previous clients, whom he considers friends, a better solution. Utsler explains that, unlike other companies, IPRO has a vision with roadmaps in place.

Wall Street to Main Street: Prepare for the Future

Cliff Dutton - Dutton, LLC



Chip's Takeaway:

While some of the standard sources of revenue are in shorter supply, the need to manage data continues to grow. Expand your definition of who a client can be.

What does the road hold ahead? What are the opportunities?

“If you do what you’ve always done, you’ll get what you’ve always got.”

You’re clients need you to be their rockstar!

- They want you to do everything (a problem and an opportunity).
- Take time to understand why they value you.

Everyone wants to avoid getting sued.

A large, less visible, opportunity is due diligence: mergers and acquisitions.

Example: IBM requested large spans of docs to help in considering acquiring Sun Microsystems.

Be strategic about pricing. Don’t just give your services away.

Claims Defense costs have doubled since 2006.

- More than half of the largest companies expect to decrease costs.
- The legal budget is declining.

Pricing Strategies

- What are the units? Per image? Per gigabyte? Per custodian?
- What value do you add to that unit?

Strengths: knowledge, leading edge, infrastructure

Weaknesses: adoption, limited expertise

Opportunities: due diligence

Threats: policy change, pricing

Money will come from everywhere. Forget about specializing.



Deliver savings

- Identification (no one processes everything)
- Copy and preserve
- Restore
- Process
- Terms

Make more by telling people what they don't need to process (consultant model).

Disk storage in 2008 went up 40%.

Private sector archives are reaching 27,000,000 GB.

Offer: process, consultation, scope management

International Panel

George Rudoy – Shearman & Sterling LLP

J. Bart Holladay – Linguistic Systems, Inc.

Hans Henseler – PricewaterhouseCoopers

Shawn Sieck - TERIS



Chip's Takeaway:

Multi-lingual and international law is coming to your local market. Prepare yourself to communicate. Saying "speak English" won't cut it anymore.

EU data protection creates a problem in getting data out of Europe. This is your problem. Even if you aren't located globally, your clients are working globally.

It requires familiar procedures made known to employees.

Current standard for US access to European data: put the data in a London data center.

Note: reviewers can't review the data and have it stored on the local cache. It must be wiped clean after each review session.

Is there a need for an international privacy regulation handbook?

You must establish ways to stay aware of local regulations.

- Get a language service provider.
- Work within a global network of coworkers and partners.

Machine translation is 30% accurate.

Multi-lingual best practice: identify the languages and assign them to appropriate reviewers.

- eCapture 4.0 has this capability built-in

Multi-lingual Support in the IPRO Product Line

Rich Ruyle – IPRO



Considerations:

- Segmentation
- Normalization
- Script Conversion
- N Gram vs Morphology

IPRO partner, Basis Tech:

- Operating since 1995
- Technically tested
- Historically proven (Oracle, Google, Amazon, Yahoo, Hitachi, LL Bean, Microsoft, etc.)
- Staff members with linguistics PhD's
- Ongoing research and development
- Features include: 160 encodings, 55 languages, morphology, script conversion

IPRO hired Basis Tech (approx. \$500,000 investment) to focus on their own core strengths.

All multi-lingual processing occurs at index time, tied with dtsearch. Indexing will now identify all languages in a document.

Users can report how many languages, which languages, and the percentage of each language.

eCapture 4.0 has been entirely migrated to .NET

OCR occurs during discovery, automatically assumes English as default language.

Child documents are assumed to have the parent document's language.

Roadmap includes locating and highlighting each language within a document, and a multi-lingual on screen keyboard.



Chip's Takeaway:

IPRO has made a big investment in its future here without placing the burden on its customers. Thorough research and a sound partnership make multi-lingual support a believable reality.

IPRO Eclipse: Database Evolution is Here

Joe Utsler – IPRO



Chip's Takeaway:

Eclipse takes the lit review tool competition head-on, with a user-friendly, work-flow conscious approach. If I were Concordance or Summation, I'd feel a bit weak in the knees.

Cases and teams have gotten more complex. Eclipse offers a simplified, "Office 2007" interface, with a dashboard to track review progress.

Review features include:

- Smart folders (tags) and categories
- Multi-monitor support
- Share saved layouts
- Customizable tag palettes
- Cascading Rules
- Page level tags for imaged docs
- Quick View: uses Stellant Viewer to allow native file review for certain file types without installing more software. Option to open in application as well.
- Search: full text, Boolean, nested by folders, by batches, etc.
 - o No need to create database subsets!
 - o Save searches, tag results, add them to smart folders
- Bookmark where you stop during a review

"Biblical tagging is 7 levels. We go 8."

Admin features include:

- Lock down as many features as necessary with layout and user rights.
- IPRO Build tools built into Eclipse

Management features include:

- Dashboard utility to monitor review progress: by case, by user, by status, etc.
- Anyone can have a dashboard.

On roadmap:

- Search across multiple databases
- Conversation threading

IPRO eCapture: The Flex Processor

Calvin Johnstun – IPRO



Chip's Takeaway:

If eCapture 4.0 delivers on applying rules to previous rules, I think we're going to see some happy support vendors out there. And searching through a searched set of data? Hooray!

Flex Processor: how you selectively process your data

Advanced deduplication = bit x bit comparison on equal MD5 hash tag matches

Create rules, Import rules, Export rules as xml files

Tip: Keep search terms as separate searches in order to gauge effectiveness

Filter by filesize, filetype, date, etc.

New to eCapture 4.0:

- Ability to customize how many threads run at a time
- Search through a searched set
- Apply rules to results of previous or selected rules

There is a Difference: What Makes Eclipse So Special

Joe Utsler – IPRO



Chip's Takeaway:

Eclipse promises to be feature rich with a burning hunger for productivity. Not sure how pricing compares, but I think you'll find the interface a refreshing surprise to lit review.

Litigation workflow has changed. There's a new workflow. Eclipse is focused on "allowing people to work the way they need to work."

Eclipse is designed as a "full system."

The tools that IPRO-based support uses are the same tools Eclipse users will have – assuring a consistency of output on both ends.

Key features:

- IPRO Engine or SQL
- Multi-lingual
- Search
- Batches
- User management
- Workflow management
- Production capabilities
- Migration tools
- Integrated support for: Clearwell, Summation, Casemap, Concor dance, Livenote, Equivio, etc.
- Customizable interface
- Team communication (IM integration before December 2009)
- IPRO Build is included and built-in

Dashboard will track everything running in-house, including eCapture.

Roadmap: Agile releasing, Video support, Transcript support, eCapture controller GUI?

eReview: 1st pass, \$195 seat

Eclipse: Full review, \$2200 seat (1-24), \$1980 seat (25-49), \$1760 (50-99), \$1540 (+100), Enterprise \$275,000.

Scheduled Release Date: July 6, 2009

Back to Basics: What worked, what failed, and why the future is brighter than ever

Karen Brookman – Commonwealth Legal



Chip's Takeaway:

Give your team a clear path to succeed and they will help you solve your company's challenges. See your human resources increase their value.

“Did You Know?” (video: link below is an updated version of video shown at the conference)

<http://www.youtube.com/watch?v=nתיqLgZFOU&feature=fvst>

Where is evidence management going to be?

Strategy:

“Screw it. Let's do it!” Richard Branson – Virgin

“However beautiful the strategy, you should first look at the results.” – Winston Churchill

Core Values: Honesty/Integrity, Teamwork, Passion, Innovation, Quality, Leadership

Mission Statement:

“A computer on every desk.” – Microsoft

“Every client empowered with the right technology solution for every product.” Commonwealth Legal

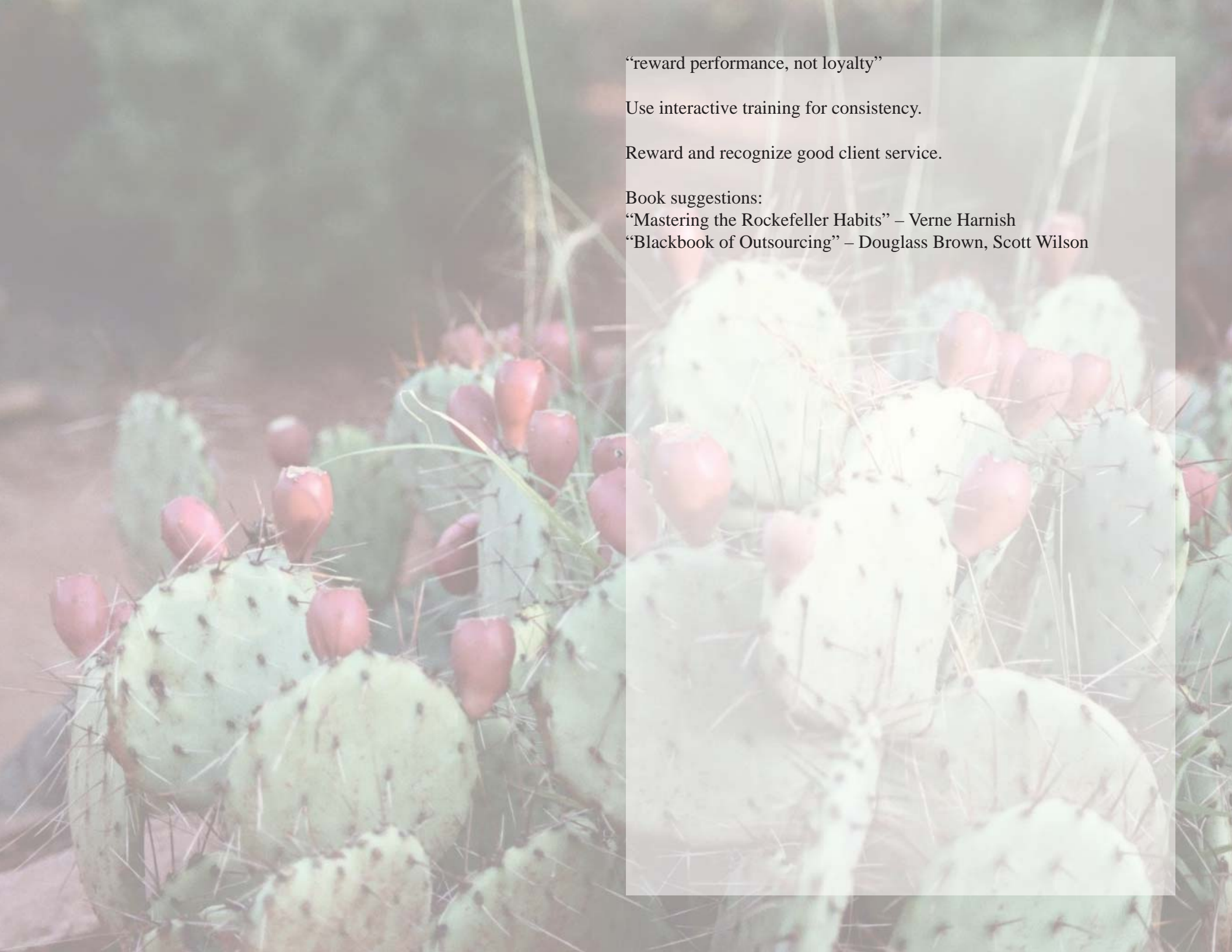
Financial Accountability:

- Make more than you spend
- Share financial reports with your team... it's the “score card”
- Create “task force initiatives”
- Identify a business case for large expenditures
- Develop a network of advisors

“Don't get advisors that tell you how great you are.”

Started using:

- “Job profile analysis” (Thomas)
- Job description used to drive performance
- Create professional development plans for everyone



“reward performance, not loyalty”

Use interactive training for consistency.

Reward and recognize good client service.

Book suggestions:

“Mastering the Rockefeller Habits” – Verne Harnish

“Blackbook of Outsourcing” – Douglass Brown, Scott Wilson

In-house vs. Outsourced Discovery Management

William Kellermann, Esq. – Wilson Sonsini Goodrich & Rosati



Chip's Takeaway:

Law firms don't want to process data themselves, but they have no choice. If litigation support service providers can stay within firm budgets, the projects won't stop coming.

Have you heard an "expert" say...

- "Companies should never collect their own data!"
- "Companies should never process their own data!"
- "Companies should never host their own data!"
- "Law firm employees should never collect their client's data!"
- "Law firms should never process client data!"
- "Law firms should never host discovery data!"



What are the options for Litigants?

- Ad hoc outsourcing
 - Vendors
 - Law firm specialty operations
 - Law firm paraprofessionals
 - Lawyers
- Single-source or preferred vendor outsourcing
 - End-to-end
 - General contractor
 - Specialty operations
- In-house "DIY"
 - Dedicated resources
 - Ad hoc resources
- Combo-plate

What are the options for Law Firms?

- Exclusive, ad hoc reliance on support vendors
- Exclusive reliance on dedicated or preferred vendors under MSA
- Internal specialty operations groups

- Non-exclusive
- Ancillary business
- Internal, captive full-service support
- Paralegals and IT
- Lawyer DIY
- Combo plate

What are the options for Support Vendors?

- Businesses:
 - ILM Products
 - End to end services
 - EDRM Touch points [www.edrm.org]
 - Specialty services
- Markets:
 - Corporate MSA for Fortune 500
 - High-volume specialty matters
 - Ad hoc services for Fortune 2000
 - Regionalized and Local services

Why in-house?

- Cost containment
- Risk mitigation
- Efficiency
- Effectiveness
- Control

Why Not in-house?

- Investment Cost Barrier
- Cost-center budget constraints
- Shared-cost
- Shared risk – ringed defense
- Learning curve and lack of expertise
- Moore's Law

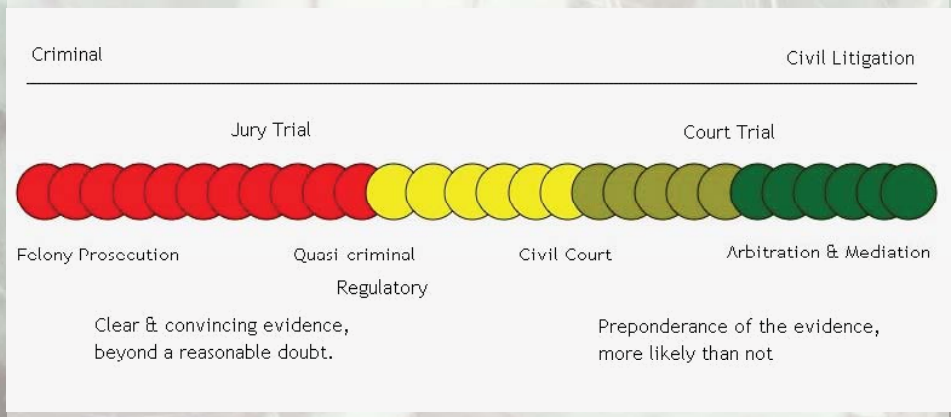


Dispute resolution is a forensic exercise.

“Forensics” is:

- The recognition, collection, identification, and interpretation of evidence, using the application of an accepted methodology for criminal and civil law, or regulatory purposes.
- Sifting artifacts to establish facts.

Evaluating Evidence:



Mitigating evidence risk


- Authenticity and veracity
 - Vital records
 - Business records
 - Non-record business held content
- Weight
- Privilege
 - Waiver
- Management Prerogative
 - Usefulness of metadata

Technology Risk

- Proprietary technology
 - Lagging market – leaves too much behind
 - Leading market – Untested
 - Black box vs. Glass box
 - Off the shelf technology
 - Broad vs. narrow adoption
 - Strength in numbers
 - Scope vs. limitations of offering

Who's Doing What?

- Corporations
 - Identification & Preservation
 - ILM Initiatives
 - Content and records management
 - Archiving initiatives
 - eMail is low hanging fruit
 - Structured data comes next
 - Unstructured data still a problem but fast coming under control
 - Legal Hold Systems
 - Notification systems are maturing
 - Index and flag systems are in infancy but developing rapidly
 - Collection
 - Information security methodology is mature
 - Index and crawl systems
 - Manual image/copy systems

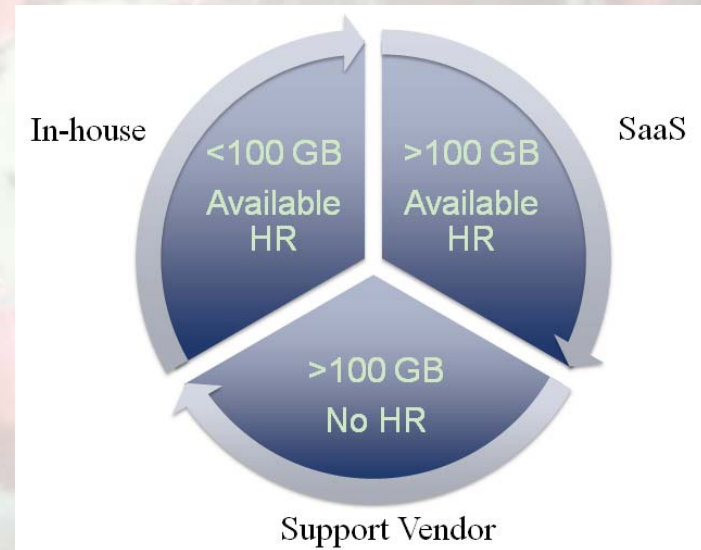
- 
- Who's Doing What?
 - Culling & Filtering
 - Often now done on collection
 - Archive and preservation systems used to cull
 - ECA Tools taking hold as culling tool
 - Processing
 - Some internal operations using traditional normalization tools
 - Generating 'native-link' deliverables
 - Generating TIFF image deliverables
 - Generating combination deliverables
 - Review
 - Limited adoption
 - Production
 - Very rare, except with third-party subpoenas
 - Law firms
 - Identification & Preservation
 - Labor intensive = costly process
 - May or may not be fully leveraged
 - Tend to be overly broad initially compounding cost problem
 - Legal Hold limited to notification and often ad hoc
 - Collection
 - Preservation sequestration
 - Wide-range of competencies
 - CCE
 - IT
 - Paralegal
 - DIY Lawyer
 - Who's Doing What?
 - Culling & Filtering
 - Often now done on collection
 - ECA Tools taking hold as culling tool
 - But still primarily keyword driven
 - Processing
 - Some internal operations using traditional normalization tools

- Generating 'native-link' deliverables
- Generating TIFF image deliverables
- Generating combination deliverables
- Review

Based on inadequate, dated technology

Some adoption of analytic assisted and auto-review

Escalation Strategies:



Special thanks to William Kellermann, who shared his presentation slides via email! I couldn't keep up, and the information was great!

Hosted eCapture and eReview: Why Buy the Cow?

Megan Wilcox – IPRO



Reduce your TCO:

Gartner says “on-premise” software has up to 4x the initial cost.

Cost drivers:

- Cost of the Software Application
- Hardware
- People – design, deploy, manage, maintain, support
- Space

SaaS is subscription/usage based, typically with all-inclusive fees.

80%-90% of TCO comes from recurring costs.

SaaS provides: hardware (BlueArc), infrastructure, backup, 3rd party applications

Integrate On-Premises with SaaS:

- Overflow for eCapture
- eReview hosted
- eCapture on demand (ie. When you can't upgrade in the middle of a project, but need a newly release feature for another project)
- Ramp up and down the number of workers quickly

1-2 hour initial time to set up account

2 QC stations included, more on request

50 mbs FTP transfer

Quick International 24 hour courier service



Chip's Takeaway:

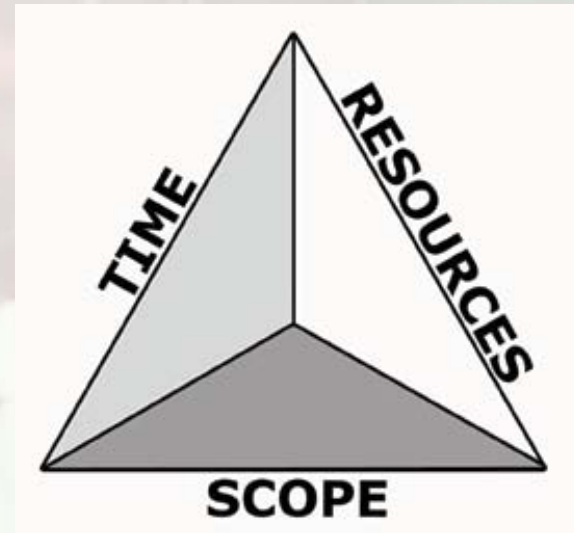
Even if your process requires in-house tools, SaaS is a good backup to keep in your pocket. Quick to set up and scale to your needs. Always up-to-date with the latest releases and fixes.

Leveraging Project Management & Technology for a Streamlined Review

Monica Paskvan – IPRO



Triple Constraints



Scope: Objective, Budget, Deadlines

“gold-plating” – giving more than required of a service (also called “scope creep”)

eReview and eCapture

Define Roles:

Identify your requirements

- Review methodology: filters, type, level, coding
- Batching
- Group and Tag management (tags inherit group rules)



Chip's Takeaway:

I can now believe eReview's roadmap. Paskvan brings a clear vision to the product. Her project management style carries over into eReview's usability too. 1st pass review has a new hero.