E-Discovery and Data Management

The proliferation of electronically stored information (ESI) has changed – and continues to change – the course of even the simplest commercial disputes and regulatory investigations. Given the evolving legal obligations and risks associated with the identification, preservation, and collection of ESI, it is critical that clients engage experienced counsel who understand the issues and are equipped to handle the e-discovery process. Krieg DeVault's e-discovery team includes lawyers and paralegals who are trained to assist clients in managing the e-discovery process.

With direct on-site access to software products like Relativity® and Legal Hold Pro®, it enables us to provide our clients with the innovative systems, efficiencies, and cost-savings they would otherwise only have access to through outside vendors. Our data storage capabilities also allow us to securely maintain our clients' data – from preservation to production to the ultimate conclusion of the matter.

We appreciate that every e-discovery plan must fit the circumstances of each case. We work with our clients; their IT, HR, and compliance departments; and their IT support vendors to find the most efficient and economical approaches to managing the e-discovery process while minimizing disruption to our clients' normal business operations. E-discovery can be a powerful tool when pursuing or defending against a claim or responding to a regulatory inquiry, and we guide our clients through the process to ensure that it is both manageable and effective.

In addition to helping clients manage the e-discovery process in the context of litigation, we also advise our clients prospectively on best practices regarding records retention and data management. Implementing best practices can mean greater ease and peace of mind down the road, in the event a client finds itself embroiled in a commercial dispute or facing a regulatory investigation.

Focus Areas

Issuing and monitoring compliance with legal holds

Formulating protocols that are defensible in court to identify, preserve, and collect potentially responsive information

Advocating for the protection of confidential and proprietary information through protective orders and motion practice

Developing strategies to tailor the scope and burdens of document review, processing, and production

Leveraging technology to foster efficiency and defensibility in the management of ESI

Developing and implementing records retention policies

Training on records retention policies

Formulating standing legal hold policies and procedures