Introduction

India has seen a spurt in specialized and niche services across sectors such as information technology, health care, pharmaceuticals, and e-commerce over the past few years. Among these, the demand for legal services has grown significantly, spurred by regulatory actions. Global companies and law firms have leveraged these services considerably.

Corporate legal teams and general counsels have a challenging task ahead of them. Their roles have evolved significantly and they need to have a 360 degree outlook to manage legal matters. This involves tracking regulatory changes, managing litigations, maintaining compliance with the ever-changing provisions and dealing with any vulnerability. All these need to be handled with utmost precision to maintain good standing but a check has to be kept on the cost.

Many companies today have operations extending beyond geographical boundaries due to the global nature of businesses. Being covered under foreign regulations such as the US Foreign Corrupt Practices Act (FCPA) and the UK Bribery Act (UKBA) would require extensive understanding of the laws, procedures and methodology as admissible in a court of law. The entire procedure laid down should be in the most defensible manner for the company. Otherwise there is every chance of the courts not accepting the entire procedure. At the same time, it would also involve significant investments in time, money and energy to prepare relevant documentation to unearth evidence, which will be required in such cases. Therefore, legal teams have discovered the advantages of electronic discovery (eDiscovery) to support litigation proceedings.

Enter eDiscovery

Today, electronic information can be found in large quantities, across locations and devices. It can be stored in multiple formats and in many cases the data has to be reconstructed. Finding the right source is just the first step. It is observed that often the key challenge is to review those documents efficiently in a cost-effective manner, so that it meets the needs of the review.

When faced with discovery requests from regulators for producing documents; or to find the right evidence to curb internal frauds; or to control corporate espionage; or to support litigation proceedings as part of a regulatory review, the sheer volume of electronic documents means that focusing quickly and cost-effectively on the most relevant material in a consistent way comes up as a challenge.

For the production of digital evidence in a court of law, the Electronic Discovery Reference Model (EDRM) provides a standardized process. The entire cycle of EDRM consists of collection, preserving, processing, reviewing and producing. Our specialists can guide an organization through the eDiscovery process, uncover valuable relevant documents and maintain the integrity of evidence found in electronic form, in an efficient and cost-effective manner.
A case for managed document review

Document review is often the most critical stage of the eDiscovery process. Our Managed Document Review (MDR) solution improvises and brings all the aspects of eDiscovery and document review under one roof. This is essential as it saves companies the effort of coordinating with multiple vendors for individual solution components. Under this, the document review mechanism is carefully structured, completing the entire cycle of EDRM efficiently and in a defensible manner. This is achieved by decreasing the review population, or reviewing them in the most efficient manner without consuming much time, thus providing a short turnaround time to companies, law firms and legal research firms across the world.

EY’s value proposition

EY’s Fraud Investigation & Dispute Services has a unique eDiscovery solution, which aims to preserve knowledge at every step. Its competence at each stage allows for an advanced, reasonable solution to deal with the cost burdens of eDiscovery and document review. The need of the hour is to have solutions that are scalable, defensible, repeatable and economical. Although the recipients of the eDiscovery services have found independent solutions that meet these aims for specific steps in the EDRM model, our revolutionary end-to-end solution brings it all under one umbrella. The upside is more than the operative model but our consultative approach at each step allows organizations to have a customized solution to suit individual needs.

Our integrated model of having eDiscovery specialists to handle the eDiscovery process along with the document review teams in India to perform the document review proves to be more efficient, giving results of superior review and defensible management services at cost-friendly rates with minimal risk to clients.
Our services

Identification, which involves data source identification, using forensically sound collection methodologies, network based physical and logical collections and computer forensics

Review and analysis, which has first pass, second pass, privilege and confidentiality review

Preservation, collection, processing, which involves foreign language translation and OCR, concept-based search and clustering, robust reporting

Productions for relevant reviewers or authorities

EY Fraud Investigation & Dispute Services’ Cyber Forensics & eDiscovery Centre, Hyderabad

India’s most advanced and dedicated discovery center with installation of live platform for end-to-end eDiscovery services along with online document review capabilities on par with international standards

Ability to undertake complex cyber forensic investigations and compliance related investigations

One of its kind in the world with automated document review process applying statistical techniques, big data analytics for predictive modeling

Can analyze millions of corporate financial transactions and create visualizations of the fraud patterns for risk ratings

Equipped to process and host petabytes of data which further can be made available for review from any part of the world
**Case study 1**

**Client**
A pharmaceutical company

**Context**
The company was conducting FCPA due diligence as a provisionary check. It involved the adoption of consistent processes and usage of innovative methodologies and tools across the globe. It was also important to handle data at local offices in the countries which have data privacy and security regulations.

**Approach**
EY offered its eDiscovery solutions here, equipped with the specific client sector experience and processed over 40 terabytes of data. The team worked across multiple countries and played a critical role for the success of the project.

**Case study 2**

**Client**
A multi-national mass media company

**Context**
The project related to FCPA due diligence during an acquisition of an entertainment company in India. It involved assisting the counsels by advanced searching, culling and filtering email and other data, and identifying key custodial documents – typically to get a better sense of their position during acquisition. It was also crucial to design a structured framework to suit the needs of the engagement on the basis of client sensitivity and knowledge of the local laws.

**Approach**
EY’s eDiscovery solutions, along with the specific client sector experience were employed on this project, and over 10 terabytes of data were processed, across multiple custodians. The team worked at multiple locations across the globe and ran 24x7 operations, resulting in the successful execution of the project.

**Case study 3**

**Client**
A trans-national law firm

**Context**
The project related to the end-to-end eDiscovery and document review management of its clients’ document population collected across the world. It involved the collection & handling of confidential and privileged data at local offices of the law firm's clients in various countries which have data privacy and security regulations. It also involved processing the data according to the search preferences suggested, hosting the responsive documents to be reviewed by a team of legal professionals in the first stage and then passing the tagged documents to the law firm for their review.

**Approach**
EY offered its integrated end-to-end eDiscovery solution & Document Review solution here, supported by the advanced Cyber Forensics & eDiscovery Centre (CFDC) bringing together specialized forensic & eDiscovery teams for the collection of data, processing, hosting and legal professionals for the first stage review. The teams successfully delivered on the project, working in coherence across multiple time-zones and reviewing almost a million documents in less than four weeks.
### Case study 4

**Client**  
An international travel booking company

**Context**  
The company was undergoing a merger with one of their targets. It involved providing litigation support in order to perform the due diligence.

**Approach**  
Leveraging the infrastructure of the advanced Cyber Forensics & eDiscovery Centre based in Hyderabad, the team successfully processed and hosted more than 2 terabytes of data for review by the attorneys, within a short span of 3 weeks. The team also used automated techniques to analyze emails by using email threading, near duplicate removals using text analysis to cut down the review population, efficiently. Additionally, they also employed Technology Assisted Review (TAR) methodologies to fasten up the document review by using predictive coding with advanced methodologies.

### Case study 5

**Client**  
A major financial institution

**Context**  
The institution was under pressure to review huge volume of documents under stringent deadlines with an urgent need to provide a response to the regulatory bodies on a highly complex subject matter involving collateralized debt obligations.

**Approach**  
EY MDR team was brought in to review the over 2 million documents, utilizing the advanced review capabilities offered by the Cyber Forensics & eDiscovery Centre, from multiple locations within India. During the exercise, EY’s team successfully catered to the document review challenges like responsiveness, privilege, confidentiality, redactions for Personally Identifiable Information (PII) etc. MDR team redesigned the workflow to shorten the time to extract case-critical information from review and to provide real time information. Leveraging both the experience of the document review team as well as a well-evolved quality control methodology, the team successfully delivered within the deadlines.

---

### Contact us

**Arpinder Singh**  
Partner and National Leader  
Direct: + 91 22 6192 0160  
Email: arpinder.singh@in.ey.com

**Sandeep Baldava**  
Partner  
Direct: + 91 40 6736 2121  
Email: sandeep.baldava@in.ey.com

**Vivek Aggarwal**  
Partner  
Direct: + 91 12 4464 4551  
Email: vivek.aggarwal@in.ey.com

**Mukul Shrivastava**  
Partner  
Direct: + 91 22 6192 2777  
mukul.shrivastava@in.ey.com

**Anurag Kashyap**  
Partner  
Direct: + 91 22 6192 0373  
Email: anurag.kashyap@in.ey.com

**Anil Kona**  
Partner  
Direct: + 91 80 6727 5500  
Email: anil.kona@in.ey.com

**Rajiv Joshi**  
Partner  
Direct: + 91 22 6192 1569  
Email: rajiv.joshi@in.ey.com

**Yogen Vaidya**  
Partner  
Direct: + 91 22 6192 2264  
Email: yogen.vaidya@in.ey.com