THE ULTIMATE GUIDE TO DOCUMENT PRODUCTION FOR SMALL AND MIDSIZE CASES

This white paper looks at the challenges associated with discovery, the importance of an efficient and proportional process and provides actionable recommendations.

DISCOVERY GENIE®

Document production simplified

Introduction

Litigation imposes competing requirements on legal professionals. On the one hand, court requirements (disclosure and document production in discovery) and ethical requirements (protecting attorney-client privilege, protecting client data from improper disclosure) require care, diligence and thoroughness—but provide little value in winning the client's case. On the other hand, clients emphasize efficiency and resist fees and costs that do not demonstrably further the goal of winning the case. Legal professionals are caught in the middle. Indeed, lawyers often find they cannot bill their clients—or their clients refuse to pay—the high costs of obeying the rules, because it produces no positive value for the client. Nowhere is this tension more obvious than in the discovery phase, particularly with respect to document review and production.

This paper addresses best practices for balancing the need to meet the professional and ethical obligations of litigation with the business imperatives of client satisfaction and running a profitable law firm.

Evolution of document production

Document production is not a new problem, but the evolution of technology has changed its character and created challenges of client perception. The documents and communications relevant to most litigation are now overwhelmingly digital: email correspondence and electronic documents (referred to as "Standard Documents"). Clients have a reasonable expectation that the review and production of electronic documents should be straightforward and inexpensive. Unfortunately, the speed and ease with which we communicate has outstripped the tools we use for analyzing and producing those communications.

eDiscovery has become an area of growing research as academic institutions, private enterprise, regulatory agencies, and jurists attempt to address the growing complexity of document production and review. This research has led to sophisticated tools that apply machine learning, algorithmic data analysis, and comprehensive searchability to multi-custodian data sets. Unfortunately, these tools—adapted as they are to the most complex cases—present cost and usability issues for the vast majority of cases. On the other hand, manual tools that focus on automating conversion to standardized document formats (e.g., PDF or TIFF) or application of Bates numbers meet only part of a legal professional's document production needs. Given the broad continuum of use cases and tools, how is a legal professional to determine the best approach to managing evolving discovery demands?

Proportionality

Federal Rule of Civil Procedure 26 and numerous state counterparts attempt to respond to this tension with the concept of "proportionality." Proportionality means that discovery is limited for small-dollar cases and/or the needs and means of the litigants. The proportionality requirement has a significant and real-world impact on the vast majority of cases—i.e., the kinds of cases litigated by most lawyers, most of the time, where the amount in dispute and the parties' resources do not justify bet-the-farm expenditures and practices.

Purpose and scope of this paper

This paper discusses the most important issues confronting lawyers litigating small and midsize cases (referred to as "Standard Cases"). For each issue, we identify the challenge and articulate a core set of best practices that address the principle of proportionality. As developers of an on-demand eDiscovery platform, we offer our recommendations for each of these challenges. While each case is different, and no one-size-fits all solution is available, we believe these best practices will assist litigation professionals in evaluating and tailoring the right solution to a particular case.

To conclude, we evaluate the variety of technology solutions that exist to help legal professionals meet their discovery obligations. We identify three major categories of eDiscovery tools and discuss the circumstances in which each is appropriate. Specifically, we consider two determining factors in eDiscovery platform selection: first, the case's review/production size (as determined by page and/or document count, or "load") and, second, the case's court- and ethics-rules requirements. This schema provides a starting point for attorneys and paralegals to determine the best tool for the case.

Common Challenges and Best Practices

1. Collecting emails and attachments from individuals and small businesses

The Challenge

Large businesses typically have email servers where relevant emails may be searched, collected, and provided to the lawyer at the server level, but collecting emails and attachments from individual email users/accounts is more difficult.

Best Practices

Export relevant emails from an individual account into an email archive, namely, a PST file for Microsoft Outlook users, or an MBOX file for users of all other clients. An email archive contains a collection of emails and attachments in a format recognized by your email client. Creating an email archive is simple. The email owner simply creates a new folder (or, in Gmail, a new "label"), and drags a copy of each relevant email into that folder or label. Then, export that folder to a PST from Outlook using the instructions found here, to an MBOX from Gmail using the instructions here, or to an MBOX from virtually any other email client (including Apple Mail) here. (Referenced instructions are available at https://discoverygenie.com/support)

An email archive is far less cumbersome than any other method of transferring emails. Unlike forwarding individual emails—a cumbersome process in any event—the email archive does not generate new metadata from the client to the lawyer, and does not require the lawyer to process the emails one by one in her own email account. Plus, the email archive contains all of the relevant emails and their attachments in a single file for easy transfer, either by flash drive or by file transfer system. Upon receipt, the lawyer may import the emails into her own email client for further review, or may process the emails directly.

Discovery Genie is designed to process an entire email archive for privilege and relevance review, conversion to PDFs, Bates numbering, production of privilege logs, and production. Simply create a job and upload the PST or MBOX file directly, and let the Genie's powerful tools take over and make review and production painless—easy, cheap and fast.

2. Organizing emails and attachments

The Challenge

Many lawyers receiving emails for production in litigation save the attachments in a folder, and then treat the emails separately. This leads to confusion about which document was attached to which email, which may require additional work to reconstruct emails and attachments, or ambiguity in the litigation.

Best Practices

First, your production should list the filename of each attachment at the end of each email that is produced. This eliminates potential ambiguity or confusion about the attachments to any email.

Second, you should organize your production so that each attachment appears immediately after the email to which it was attached—with the Bates numbers sequencing the attachments immediately after the email, i.e., Email 1, Email 1 Attachment 1, Email 2, Email 2 Attachment 1, Email 2 Attachment 2, etc.

Discovery Genie automates both of these best practices: it automatically includes the filename of every attachment at the end of every email and it organizes and sequences the production so that each attachment follows the email to which it was attached.

3. Privilege/relevance review in Standard Cases

The Challenge

In Standard Cases where resources are limited it might be tempting to short-change your review of documents for privilege and/or relevance before production. In particular, many clients do not understand the discovery process, are quick to point out that document production yields no significant progress toward resolving the case, and may be unwilling or reluctant to pay the high costs associated with document production. It is an enormous mistake to neglect or short-change a privilege and/or relevance review. Disclosure of privileged or irrelevant documents can significantly harm your client's legal position if undetected, and will certainly cause significant additional expense to correct if you realize you made an inadvertent disclosure.

Best Practices

First, understand that privilege is often not determined by the contents of an electronic document, but is rather determined by the parties, i.e., the sender and recipients. For example, an email solely between an attorney and a client will almost certainly support a claim of privilege, but the very same message, if sent from a client to the adverse party, will almost certainly be subject to production. Focusing on email metadata, rather than the contents of the body of the document, will almost certainly make your privilege review faster and more accurate.

Second, focus on common exceptions to the previous guideline: (a) email threads that have embedded emails (i.e., previous emails that have now become the body of the email in question) may have different recipients than the primary email, and may need to be treated differently; and (b) attachments may be treated differently from the including email. As an example, a client might send a lawyer a draft contract for review, where the email itself is privileged, but the attached contract is not.

Third, combine your privilege/relevance review with a substantive review, noting important, key documents that you may use as deposition and/or trial exhibits. Combining a preliminary substantive review with a privilege review bridges the gap between unproductive but necessary compliance with professional obligations and the productive steps necessary to win your client's case—particularly where you capture the value of your review by annotating and organizing your production, such as by keeping copies of important documents in a "key documents" folder. Capturing your work product eliminates the need to do your work again, which leverages your professional resources and cuts unnecessary costs.

4. Privilege logs in Standard Cases

The Challenge

For all cases—Standard Cases as well as large cases—whenever a party withholds information under a claim of privilege, the party must provide a privilege log. A "privilege log" is a document that "expressly makes the claim of privilege" and also "describe[s] the nature of the documents, communications, or tangible things not produced or disclosed—and do so in a manner that, without revealing information itself privileged or protected will enable other parties to assess the claim." Fed. R. Civ. P. 26(b)(5). A privilege log is obligatory under the Rules but requires a massive amount of work to create, which creates a tension between compliance with the Rules and the business imperative to minimize resources expended in compliance.

Best Practices

Attorneys should comply with the Rules; indeed, if a lawyer fails to comply with this obligation, she exposes herself (and her client) to waiver of privilege or other sanctions.

That said, the key to preparing a compliant privilege log is to recognize that the required information consists of two elements: a claim of privilege, and the nature of the privileged material. The claim of privilege is as simple as it sounds—a claim that the communication is subject to the attorney-client privilege, the attorney work product doctrine, or another legally recognized privilege. The nature of the privileged material is simple enough details to permit the parties and/or the court to understand what the document is, and why the claim of privilege is justified. For emails, the metadata from the emails—the subject, date, to, from, cc and bcc fields—will generally be sufficient to identify the nature of the document. For attachments to emails, simply stating that the document was attached to an email, along with the filename (assuming it is reasonably descriptive of the document—"Draft Contract.doc" will certainly suffice) are usually adequate.

Mechanically, a spreadsheet is an excellent format for a privilege log, which can be attached as an exhibit to a captioned document entitled "Privilege Log." The spreadsheet should use columns with headers for Subject/File Name, Date, From, To, CC, BCC and Notes (which can include the claim of privilege and any additional details). Where an attachment to an email is withheld, it should be on the line below the email to which it is attached, and identified with the word "Attachment:" before the filename.

Finally, the best practice is to convert any privileged document to PDF and retain a copy in your file, along with a copy of the privilege log. Adding a Bates number with the prefix "Priv" before the standard Bates number ("Priv-Plaintiff 0001"), and listing this filename in your privilege log will ensure that there is no confusion if an adverse party challenges the claim of privilege.

Discovery Genie automatically creates a draft spreadsheet containing all of the information outlined above for emails and attachments, by copying the metadata from emails and attachments into the appropriate spreadsheet fields—including your notes from your privilege review. You may modify the spreadsheet just like any other, such

as by adding a claim of privilege into the "Notes" field where necessary, and adjusting the formatting of the rows and columns as necessary. Then, simply format the spreadsheet to fit the page you are printing on, add an "Exhibit A" header, and attach to your "Privilege Log" caption and you are ready to serve it on the adverse party together with your disclosures/production.

5. Mastering your evidence in Standard Cases

The Challenge

Virtually any experienced litigator will agree that full mastery of all of the evidence in a case creates an enormous advantage. In large cases, this often means having numerous paralegals and lawyers review every potential document and likely prepare an index of those documents so that even records that appear insignificant on first review can be located and used if the records grow in importance as the case evolves. Unfortunately, where resources are limited as in many Standard Cases, mastery of the evidence is neglected in favor of focusing on the first-to-emerge documents, and sometimes critical evidence that is overlooked in the first pass is never resurfaced or introduced into the case.

Best Practices

First, leverage your privilege review by simultaneously reviewing for substance. When you come across an important document, put a copy into a "key documents" folder. Your "key documents" folder will then be the first place you look for deposition/trial exhibits, or evidence for your case to use in pretrial motions.

Second, make an index in a spreadsheet of all of the documents, including the metadata from emails (date, subject, to, from, cc, bcc). Include a column for your notes. Also include a column to indicate documents are "key documents"; you can sort the spreadsheet by the "key documents" column for a separate "key documents" index. These two spreadsheets are vital roadmaps of your most important documents, as well as the entire universe of all of the documents in the case. Use these indexes as working documents to (a) search and sort, which is far faster and easier than searching folders full of documents, and (b) to record your notes and thoughts as you work on your case. These notes are in a single place, where they are easily accessible for motions practice, and deposition and trial preparation.

Discovery Genie automatically creates a "production log" of every document you produce, with essential metadata for the emails and electronic files, and with your notes from your review. In addition, when you use the "Key" checkbox for any email, attachment or electronic file, the Genie will automatically put a copy of that document into a separate "Key Documents" folder, and also generate a separate "Key Documents" index of only the selected documents. These features save 75-90% of the time it takes to create the logs manually, and leverage your time by integrating a substantive review of the documents with your privilege review.

6. Compliance with protective orders in Standard Cases

The Challenge

While protective orders often contain multiple avenues for designating a document as "confidential," nearly all protective orders permit a party to designate a confidential document by marking it with a "Confidential" stamp.

Best Practice

Mark each document subject to a protective order with a "Confidential" stamp. This will allow you to instantly identify violations (such as filing protected documents as exhibits to motions without designating them as "suppressed," "under seal," or the appropriate filing designation), and eliminates the need for searching through separate documents (like a cover letter or discovery response) to determine whether a claim of confidentiality has been asserted.

Discovery Genie allows you to mark any document you produce with a customizable stamp. The default is "Confidential," but you may change the custom stamp to say whatever you want, such as "AEO Confidential" or "Response to Subpoena 1234," according to the terms of your protective order.

7. Managing Bates numbers in Standard Cases

The Challenge

Originally, a "Bates number" was a stamp put on every page of documents using an odometer-like stamp manufactured by the Bates Manufacturing Company, which marked each page with a sequential number. Today, a "Bates number" is usually added electronically, often with a prefix identifying the party who produced the document.

Best Practices

Select prefixes for your Bates numbers to assist you in quickly identifying documents in your case. Think of the Bates number not as a tool to organize documents (such as by ordering them, and then stamping them, in chronological order), but rather as a unique identifier of every page to eliminate ambiguity about which document is being referred to in the litigation. Many people find it helpful to use multiple Bates prefixes to identify either the party who produced the documents ("Jones 0001") or the type of document being produced ("Def. Photo 0001").

One pitfall of Bates numbering is that many practitioners waste significant time searching for where they left off in the last set of documents they produced when it is time to produce a new set of documents. Rather than hunting through folders of produced documents to find the stopping point from your last production, keep a separate index or record of the Bates numbers you have already used, so that you can immediately find the next number for your production.

Discovery Genie automates Bates number management. It allows you to select as many custom prefixes as you want, and automatically tracks the last number used so that the next job will begin where the last one left off. If multiple jobs are being processed at the same time, the Genie will put a temporary freeze on completing new jobs to allow the previous one to process, which avoids inadvertently creating duplicate Bates numbers.

8. Producing electronic files (e.g., Word, Excel, PDFs) in Standard Cases

The Challenge

Some courts and other tribunals require production of files in native format, along with a "load file" allowing the recipient to create a database of the files for faster searching and retrieval. Producing documents in this format generally requires specialized software and training, both for the producing party and the receiving party. The proportionality rules generally will not require this type of production in Standard Cases, however, where the amount in dispute and/or the number of records involved do not justify these practices.

Best Practices

Convert electronic documents into a static format rather than producing documents in their native format. PDF is an excellent format because it is so widely accepted and easy to work with using readily-available software. Native documents are, by their nature, subject to modification. Converting them to PDF will freeze their contents, and avoid any ambiguity about which version of a document is the correct one.

For files like spreadsheets, which may not translate to PDF without time-consuming formatting, it is best to convert the spreadsheet to PDF, whatever the formatting, to freeze the contents of the spreadsheet, but if requested you may also want to provide a copy of the produced spreadsheet in its native format. The PDF copy you create first will allow a comparison of the contents to ensure that the file was not altered.

Discovery Genie automatically converts all files to PDF, except for a narrow subset of files that cannot be converted to PDF, like voice mails saved as MP3 files, computer-aided design (CAD) files, or electronic documents that are password protected. Even if the resulting PDF is not ideally formatted, it will maintain a record of the contents of that file at the time it was produced. Discovery Genie charges a flat rate for each document, regardless of the number of pages, so if a spreadsheet converts to a large number of pages it does not result in extra charges to the user.

9. Producing electronic files that cannot be converted to PDF

The Challenge

Some files, like voice mails saved as MP3 files, computer-aided design (CAD) files, or electronic documents that are password protected, cannot be readily converted to PDF.

Best Practices

When a document cannot be converted to PDF, produce the file in its native format, but keep a copy of the produced file as a control copy. Many practitioners rename their produced documents according to the Bates numbers stamped on the produced documents. In this case, assign a dummy Bates number to the native file, and rename the file with the Bates number. Some practitioners also produce a slipsheet—a page with the filename of the native file produced—with the dummy Bates number.

Discovery Genie can convert 116 different types of files into PDF. When it encounters a file it cannot convert, it returns it in its native format, renamed to a dummy Bates number, and also marks on the production log that the file could not be converted to PDF. This allows the user to automatically keep a control copy and also a record that the file could not be converted.

Choosing the right eDiscovery solution

Choosing the right tool to produce electronic documents (emails with attachments and/or electronic files) is a balancing act between features and cost. To begin with, we can simplify the variety of tools by grouping them into three broad categories, ranging from manual solutions to complex eDiscovery platforms. We may characterize each category in the following terms.

Manual Production

Manual production means producing electronic documents without specialized tools, but instead using standard office software. For emails and attachments, this might mean using the "Print to PDF" function (or printing to paper then scanning to create the PDF), then using Adobe software to add Bates numbers, and manually typing information into a spreadsheet to create a privilege log. "Outsourcing" these tasks is another form of a manual process.

Pros: No specialized tools are required.

Cons: Manual production is labor intensive, and expends valuable professional (attorney or paralegal) time on non-professional tasks. For all but the smallest cases involving only a handful of documents, the real cost of a manual process, measured in professional hours, quickly dwarfs the cost of using specialized eDiscovery tools. Worse, because of the high cost, many firms are forced to take shortcuts, such as an abbreviated privilege review, refraining from creating an index or roadmap of the documents in the case, or other compromises, where unproductive but necessary tasks displace high-value tasks—organization and analysis—that actually help win the client's case.

On-demand eDiscovery

On-demand eDiscovery solutions are software platforms that automate the manual tasks of converting and organizing documents for production and adding Bates numbers. Many have additional tools, such as enhanced privilege/relevance review modules, automatic index generation, and tools to allow clients to upload materials directly. Discovery Genie is an example of an on-demand eDiscovery platform.

Pros: Simplicity, ease of use and cost-effectiveness. On-demand eDiscovery platforms generally require a minimum of specialized training, and avoid ongoing data storage charges.

Cons: Lack of features required for large and/or complex cases, or where tribunal has complex discovery requirements.

Complex eDiscovery

Complex eDiscovery solutions generally accept the upload of data of all types for storage, analysis, complex searching, processing and production, frequently in native format or a variety of other formats (such as TIFF or PDF). Many have artificial intelligence (AI) functionality and access to consultants to assist in locating important information in large data sets.

Pros: Full features to allow sophisticated review, analysis, search and production of documents to satisfy even the most demanding requirements. Systems generally perform complex deduplication to eliminate duplicate documents even in very large datasets (sometimes across millions of pages of material).

Cons: Expensive and difficult to use. Licensing fees alone may be cost-prohibitive to some organizations, and because the systems are designed to store litigation data for the duration of the case (sometimes for many years), charges accrue throughout the case. Systems frequently require extensive training and in many cases dedicated personnel.

Given this simplification of tools, we can now compare their utility for different types of cases.

Size of potential review/production

The chart below compares solution suitability for cases characterized by different production loads. By evaluating each category of discovery solution, we can immediately see a pattern that makes intuitive sense.

Production Load	Manual Production	On-demand eDiscovery	Complex eDiscovery
0-100 pages	Possible	Optimum	Inadvisable
100-20,000 pages	Inadvisable	Optimum	Inadvisable
20,000 - 100,000 pages	Inadvisable	Possible	Possible
100,000+ pages	Inadvisable	Possible	Optimum

Manual Production

While a manual process may be appropriate in the smallest of cases, the size threshold is extremely low. While direct costs for such tools are comparatively low, they are offset by the manual work required. Even where PDF generation and Bates numbering can be automated, the collection of document metadata into usable indexes (privilege and production logs) remains manual. The costs for this professional time quickly become prohibitive. Manual production is rarely cost-effective, even with very few documents, because the professional time quickly dwarfs the modest cost of an on-demand eDiscovery platform.

On-demand eDiscovery

On-demand solutions are ideal for Standard Cases. By working with document metadata, they automate the most tedious and labor-intensive aspects of the production process—document conversion and log generation—while stopping short of the most expensive features of complex eDiscovery tools, such as comprehensive deduplication and content-searchability. Some on-demand systems, including Discovery Genie, apply simple deduplication, where copies of identical documents within a job are removed.

Complex eDiscovery

When production loads become sufficiently large and review requirements sufficiently complex, comprehensive deduplication and sophisticated searching capability (including AI-assisted) become essential tools in the review and production process. In such circumstances, a complex eDiscovery solution may be necessary. Comprehensive deduplication, where duplicate records existing anywhere in the case (including threaded emails) are removed, requires sophisticated interaction with the content rather than merely the metadata of the documents under review. As we have noted earlier, such functionality typically demands a considerable investment of both money and time, and resulting in high cost and the need for specialized training for the litigation professional. For this reason, complex eDiscovery systems should be reserved for cases where no other solution will meet the needs.

Organizations that have licensed complex eDiscovery systems often adopt a policy to use the complex system in every case, even Standard Cases. This is generally inadvisable, as it relies on the sunk-cost fallacy. The fact that an organization has incurred long-term licensing fees does not justify overspending on an individual case. In Standard Cases (generally less than 20,000 pages of production), the direct costs of an on-demand eDiscovery system will be less than the direct costs (i.e., costs incurred solely for the individual case) of a complex eDiscovery system.

In some cases involving high document loads, an on-demand eDiscovery system may be appropriate, particularly where (a) a firm rarely handles large cases, making the investment in a complex system inadvisable, and/or (b) the circumstances of the case dictate that even though there are many pages of documents, the significant documents in the case are known, such that minimal review of the documents is required. Put another way, comprehensive search tools are a major advantage of complex eDiscovery systems over other systems, and if the case requires these tools, a complex eDiscovery system is warranted; absent these requirements, an on-demand system will be appropriate, and likely more cost-effective.

Finally, it is worth noting that in some cases where minimal review is required, an on-demand eDiscovery system is the optimal way to process and serve extremely large productions. As an example, in response to a Department of Justice subpoena, Discovery Genie produced 360,000 pages of electronic records quickly and far more affordably than possible using the firm's complex eDiscovery system.

Court- and Ethics-Rule Requirements

While most state and federal courts impose proportionality rules that tailor the production requirements to the scope of the case, some courts and governmental agencies have complex requirements that cannot be avoided. Furthermore, attorneys cannot sidestep ethical rules. As a litigator, your first step should be to work with opposing counsel and/or the applicable tribunal to apply a disclosure and production framework suitable to the case. Where small productions are anticipated, and/or the case involves relatively low stakes, producing documents in PDF format, without load files, native-file production, and other more sophisticated eDiscovery practices should be adequate. Such cases are better served by on-demand eDiscovery systems that manage costs

with a more focused set of features. However, if complex rules apply, or the stakes of the case are greater, a complex eDiscovery platform and its associated costs may be unavoidable.

The chart below compares solution suitability for cases characterized by different rules that apply to the case.

Applicable Rules	Manual Production	On-demand eDiscovery	Complex eDiscovery
No privilege review necessary, simple production rules apply	Possible	Optimum	Inadvisable
Privilege review necessary, simple production rules apply	Inadvisable	Optimum	Inadvisable
Data to be produced consists of standard electronic data	Possible	Optimum	Possible
Complex production rules apply or data to be produced consists of non-standard electronic data	Inadvisable	Inadvisable	Optimum

"Simple production rules" means documents may be produced in standard readable format (PDF, for example), with standard Bates numbering and a standard paper-format privilege log. "Complex production rules" means additional requirements apply, such as native-format production, DAT data file/load file production with links to native files, database-searchable privilege logs, and other requirements. As an example of "complex production rules," see the SEC Data Delivery Standards.

"Standard" electronic data means emails (with attachments) and/or electronic files (word processing documents, PDFs, spreadsheets, photographs, and emails and attachments) that are generally familiar and in common use. Put another way, "standard" electronic data means the kind of records that will most likely be at issue in Standard Cases. Examples of data that is not considered "standard" might include corporate databases, corporate-scale company-wide email, custom software data, or native-file accounting and/or financial data.

Manual Production

For reasons discussed above, even where simple production rules apply, a manual production process is unlikely to be cost-effective, particularly when a privilege or relevancy review is required.

On-demand eDiscovery

Tools that use appropriate algorithms to assist in a privilege review are highly recommended, even in Standard Cases, for two important reasons: First, predictive tools make a privilege review more accurate, both by automating the application of discovery rules and by highlighting edge cases (close calls), rather than treating every potential document as equally likely to be privileged. Second, predictive tools make a privilege review far faster and more cost-effective. Where a practitioner must balance the requirements to comply with expensive discovery rules against the client's unwillingness to pay for services—such as privilege review—whose litigation benefit is not immediately apparent ("Why should I pay for that? How does it help win my case?"), an on-demand eDiscovery platform with appropriate algorithms can prove invaluable.

About Discovery Genie

Started in 2017, Discovery Genie is a Colorado-based technology company dedicated to providing superior litigation support services. Our goal is to minimize the time and expense legal professionals devote to manual processes that can and should be automated. When attorneys and paralegals spend their time on the meaningful work of client representation instead of the tedium of document processing, everyone wins.

Our founder, attorney Daniel Culhane, is a seasoned litigator. Educated at Stanford (J.D. 1992), he began his career as a large-firm litigator and then took an in-house position with a Fortune-500 corporation before founding his own firm in 2005. As technology transformed the core of lawsuits from paper documents into a vast proliferation of electronic files, Culhane realized that the time professionals spend processing electronic records—converting to PDF, Bates numbering, privilege review, and creating privilege logs—was also proliferating. Worse, Culhane realized that the hours spent on these unproductive mechanics were forever lost and could not be used for productive tasks—mastering evidence and winning his clients' cases. He recognized a need for a solution that was simple, inexpensive, and available on demand—a tool that would save and leverage his firm's professional time while saving his clients money. From this idea, he created a system to address the needs of his own practice. Discovery Genie makes this solution available to other litigators, paralegals, and government agencies who value speed, accuracy, and cost management.

Discovery Genie views itself as an integral part of the legal community and bound by the same high standards of ethics and professionalism. We value a close partnership with our customers and recognize that their success is the foundation of our success. We know that every law professional must satisfy both court and ethical obligations (which require diligence and thoroughness) and client obligations (which demand speed and selectivity). We offer our technology to bridge these competing imperatives by automating the mechanics of document review and production, while leveraging and focusing professional time to help litigators win the client's case. We know the power of our platform because our founder was our first customer.