

When litigation, investigation or compliance demands implicate an ESI population, search becomes a necessity. And when search becomes a necessity, so does H5.

H5 is a pioneer in information retrieval (aka “search”) and technology-assisted review. For more than a decade, H5 has deployed search expertise to meet litigation, investigations and compliance demands. H5 employs linguists, computational analysts, data scientists, attorneys and other professionals who work together as a team to solve the most pressing search challenges that litigators and corporations face. Why does H5 do it best? Because information retrieval is a science, and H5 relies on its scientific principles to help find the information that matters to clients.

## Search Expertise in Action: Helping Clients Meet their Litigation and Investigation Needs

- ▶ **Document Review.** H5’s search expertise—leveraged with appropriate technologies—enables the fast and accurate identification of responsive documents in any size document population to help clients meet their discovery requirements, on time and usually under budget. H5’s process embodies within it the expertise of statisticians and computational analysts who know how to ensure that the methodology is meeting the optimal levels of “recall” and “precision”—that is, finding responsive documents without a lot of false positives. Because accuracy levels are so high<sup>i</sup>, the volume of documents requiring manual review is low, resulting in substantial cost savings. And, of course, the same search expertise can just as easily be applied to incoming productions, targeting documents that support case theories.
- ▶ **Key Document Identification.** Some litigation efforts call for a more strategic search effort in addition to or instead of wholesale document review. Intellectual property litigation, for example, can be a fact-finding mission of major proportion and represents a prime example of a strategic search challenge to identify key documents. Documents buried in the population that can reveal timelines and other facts to show who-did-what-when can make or break a case, and H5’s track record for finding these and other “hot docs” is unsurpassed. When key document identification is required, H5’s search experts become an extension of the litigation case team, essentially “living” in the corpus of documents, available 24/7 to search for smoking guns or surface documents of interest for further investigation. It is not uncommon for H5 to take calls from the courtroom requesting searches for specific documents around issues that have arisen in the case.

- ▶ **Investigations.** Accuracy is also paramount in investigations, ensuring, for example, that regulators on the receiving end of a “second request” get what they asked for and nothing more. For an internal investigation, H5’s experts can quickly and discreetly search for information, keeping potentially inflammatory situations in check.

## ▶ **Second Requests**

H5’s review approach lends itself to fulfilling the demands of HSR Second Requests quickly and effectively, enabling counsel to meet even the most aggressive timeline. And, because we provide a service, there is no new software to learn or configure – counsel simply shares review objectives with their dedicated H5 engagement team, and H5’s search experts use proprietary advanced search and TAR technology to identify responsive material. Counsel can undertake quality control of H5’s results in our Relativity®-hosted review platform or the platform of their choice. The combination of H5’s experts, processes and technology—with counsel’s oversight—keeps costs down and reduces the risk of producing privileged, confidential or non-responsive information.

## H5 and Technology-assisted Review

There is a lot of buzz today about technology-assisted review in the form of predictive coding and other software tools available for purchase. H5 sells solutions, not software; solutions that have been battle-tested over the last decade. The use of software tools, however sophisticated, in the hands of non-experts is time-consuming, expensive, and ultimately unable to yield the levels of accuracy that H5’s experts can achieve. (In fact, it requires expertise to know what good levels of accuracy actually *are*.)

H5 does use a variety of proprietary and cutting-edge deterministic search technologies, so our methods are certainly “technology-assisted.” But they are coupled with human expertise to achieve the optimal result in accuracy and cost-savings, which leaves counsel free to apply *their* expertise to try cases. And, since there is no black box applying algorithmic predictions but rather readable Boolean search queries developed by a combination of people and technology, H5 is able to show the actual queries used to search for responsive information. That is the definition of transparency. And that also means that H5’s clients can produce defensible results to the court—results that H5 will stand by.

### Where we help most.

H5 delivers a full range of services and solutions to help some of the world’s largest and most respected corporations and law firms meet the challenges of modern day discovery.

Areas of expertise include:

- ▶ Document intensive litigation
- ▶ Corporate investigations
- ▶ HSR Second Requests
- ▶ M&A and bankruptcy actions
- ▶ Regulatory inquiries and responses
- ▶ Enterprise data management
- ▶ Data classification and volume reduction
- ▶ Defensible disposal

## Bottom Line: The H5 Advantage

- **Cost savings**

Because of H5's proprietary process and the resulting accuracy—which obviates the need for software and dramatically reduces the need for reviewers—clients typically save 20-30% over the next best alternative.

- **Risk mitigation**

When results are accurate, risk is reduced, including: 1) the risk of an inadequate production 2) missing relevant documents in the opposing parties' productions and 3) the risk of missed deadlines.

- **Time savings**

H5 deploys cutting-edge tools to process, cull, de-dupe and search data populations, shortening production timelines.

- **Defensibility**

H5's time-tested process is demonstrably accurate. H5 can demonstrate that every review is conducted to the judicial standard of "reasonableness." If stipulations are required to be made to the government or the opposing party, H5 will behind their work and defend it at no cost to the client.

- **Expertise**

If hot documents or facts to support a case theory are in the data population, H5's experts will find them more readily than any other system (manual, hybrid or fully automated).

**To find out more about how H5 can help you in your litigation, investigation or regulatory compliance efforts, contact us at [info@H5.com](mailto:info@H5.com).**

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<sup>i</sup> H5 has been shown to have consistently high accuracy in NIST's TREC Legal Track studies and was a party of focus in the JOLT article "TECHNOLOGY-ASSISTED REVIEW IN E-DISCOVERY CAN BE MORE EFFECTIVE AND MORE EFFICIENT THAN EXHAUSTIVE MANUAL REVIEW," (XVII RICH. J.L. & TECH. 11 (2011) <http://jolt.richmond.edu/v17i3/article11.pdf>, p.24), which characterized H5's processes as conclusively "superior" to manual review.