



Investigations: Case Study Snapshots

For government or internal investigations, rapidly surfacing the key facts is critical to the outcome. In both situations, clients and their counsel must find the facts that prove or disprove core allegations to avoid surprises and expeditiously resolve the matter. H5 provides expert search, review and analysis for investigations to identify the documents that matter, and help counsel quickly establish the evidentiary trail, assess risk, and formulate an effective response.

> Production to the FTC and European Commission in an Anti-Trust Matter

In support of a computer hardware manufacturer's HSR Second Request, H5 automated the review of 2.6 million documents and **enabled a response to the FTC in 6 weeks**. When the European Commission's request was structured differently than the FTC's, H5 re-categorized the automated search, identifying documents for production to the EC in less than 2 weeks.

> Internal Investigation in a Whistleblower Case on Safety

When a major energy company's Board of Directors undertook an investigation based on whistleblower allegations of safety problems, H5 assessed over one million documents covering highly-technical subject matter. With H5's review identifying just 1.7% of the documents as relevant, **the case team had ample time to assess the documents that mattered while the client saved over \$1 million in review costs**.

> Internal Investigation of Alleged Fraudulent Transfer

Counsel for a hospitality client had less than a month to establish there was no evidence of fraudulent transfer in the client's documents. H5's strategic search services comprehensively and systematically assessed over 100,000 documents, **ultimately confirming that there was no such evidence in the document collection**.

> ITC Investigation of Alleged Patent Infringement

Counsel defending an engineering company's patent infringement investigation before the ITC needed to evaluate over 2.7 million documents, and turned to H5. Fortunately for the client and contrary to their original theories, **H5 found documents showing the client had prior art as far back as the 1980s**. The client gained the upper hand in depositions and negotiations, and ultimately all claims were dismissed.

> Criminal Defense of Wire Fraud and FDA Violations

Following an investigation, the DOJ brought charges against a pharmaceutical company executive for advertising a drug's efficacy statistics without FDA approval. H5 used strategic search to identify documents that posed evidence for and against the defense theory, **ensuring the case team was fully prepared and had no surprises at trial**.

> DOJ Investigation of Alleged FCPA Violation

In receipt of a DOJ letter request regarding whether the company knew of alleged bribes by its subsidiary to secure government work abroad, a financial services company engaged H5 to process, cull and analyze collected documents for the case team's final analysis. H5's automated approach saved the client significant discovery costs, while enabling counsel to quickly demonstrate there was no illegal activity; the DOJ promptly ceased investigations.



Expert-Driven Search, Review and Analysis for Investigations

H5 provides expert search, review and analysis for investigations to identify the documents that matter and help counsel quickly establish the evidentiary trail, assess risk, and formulate an effective response.

Clients have retained H5 to provide expert search, review and analysis in a wide array of government and internal investigations, including claims of:

- ▶ Antitrust, market manipulation and price fixing
- ▶ Foreign Corrupt Practice Act violations
- ▶ Securities fraud
- ▶ Financial and accounting fraud
- ▶ Insider trading
- ▶ Antitrust, market manipulation and price fixing
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To learn how H5 can help with your next investigation, contact our team at info@h5.com or call us at 1.866.999.4215

Why H5?

- ▶ **Experts, Technology & Process.** H5 combines a multi-disciplinary team of lawyers, linguists, computer scientists, and researchers with technology, rigorous methodology and quality assurance to reliably identify the documents that matter to counsel.
- ▶ **Timeliness.** Because H5's expert process automates and scales traditional review tasks, the attorney team can evaluate millions of documents in a fraction of the time and effort of traditional attorney review.
- ▶ **Flexibility.** At any time in the review process, H5 can modify or refine search directives to adapt to changes in case strategy. The revised search logic can then be replicated across the entire document collection, providing leverage that would be technically infeasible or cost prohibitive in a traditional attorney review.
- ▶ **Credibility.** H5 has experience facilitating productions to US and international agencies including the SEC, DOJ, FTC, FCC, FDA, International Trade Commission, and the European Commission. H5 has also repeatedly gained recognition as an outstanding participant in the US Department of Commerce NIST (National Institute of Standards and Technology) TREC Legal Track studies.
- ▶ **Confidentiality.** In the realm of investigations, discretion is paramount. We adhere to a strict confidentiality policy and work quietly behind the scenes to enable counsel to provide appropriate responses to agency inquiries.