

Third-Party Subpoenas

HaystackID Provides Effective Search Solutions When Responding to Governmental Agencies

Receiving a subpoena from a governmental agency as a third party is an unfortunate fact of life for many organizations. These subpoenas often are broad and leave little room for negotiation. Respondents are required to gather the requested data and sweep it for privileged material prior to submission. Even well-organized businesses can feel the financial impact of unexpected and unplanned costs.

The standard approach is to provide a thorough response while time spending as little time and money on review as possible. For electronically stored information (“ESI”), this typically means conducting key term searches and data filtering for email domains known to be associated with counsel. While this is an effective mechanism for identifying the low-hanging fruit, it’s subject to the same limitations that keyword search carries in normal litigation review with respect to outlier risk.

A recent case highlights how HaystackID Information Discovery was able to bring technology and fully defensible workflows to identify privileged documents within a response set of more than 2 million documents.

Background: *A leading small business administration loan originator.* The client company received an agency subpoena that sought “any and all” documents pertaining to a large number of custodians and clients. HaystackID was retained by the company’s outside counsel to work within the tight financial constraints the company faced in responding to the subpoena. We were presented with a long list of locations and people to be examined, including several individuals whose data existed outside corporate control – even board members.

Exposure: *Cost, time and scope of project were primary concerns.* The client was faced with a limited budget, a potentially large volume of data, and little time to respond. Outside counsel, which was leading the review, initially advised that they did not include a plan for a substantive review due to the cost constraints. With several hundred gigabytes of data to examine, the client’s attorneys could not rely on basic searches and domain sweeps. They would need to cull the data quickly without knowing the full scope of the project and what information they would need to uncover to respond to the subpoena.

HaystackID Responds: *A comprehensive approach to tackle collection project.* As soon as HaystackID became involved, we created a data map of the client’s environment to identify known areas of data to retrieve. We also conducted custodial interviews to determine what data may exist beyond the corporate systems.

In addition, our examiner team began to shadow the client IT Director as he created forensic images of the target data stores. The law firm could limit its collection costs while retaining the ability to both direct the work and defend it if any methodology was challenged. After reviewing thousands of documents, HaystackID provided a full collection of the data that would be reviewed for privilege prior to production to the requesting agency.

Solution: *HaystackID’s DataThresher was the difference maker.* We recommended that counsel leverage our proprietary analytics-enabled ECA platform, [DataThresher](#). This tool is built by HaystackID developers on the [Relativity](#) backbone and provides powerful and early insight into data within the familiar Relativity environment.

With its powerful onboard analytics, DataThresher relieves reviewers of linear, doc-by-doc, hit-by-hit review and allows them to zero in on the most impactful documents earlier in the review. Traditional keyword searches found tranches of data that were clearly privileged.

DataThresher revealed that vital additional privileged material had not hit on the keywords. By conceptually drilling into some examples of these documents, HaystackID's project management team identified these outliers and added them into the privileged set.

Outcome: *Haystack ID provides streamlined analysis of extensive data.* HaystackID was able to cull and analyze the more than 600 GBs of data collected during the initial ingestion phase of the eDiscovery workflow. This significantly reduced the volume and successfully identified all known and suspected privileged documents. The client was able to generate its privileged log directly from the DataThresher workspace with just a few mouse clicks.

From the outset, HaystackID deployed technology that aggressively reduced volume at the point of ingestion. We kept the processing prices low, the client's budget was insulated, and the production was delivered to the agency on time and on budget.

Conclusion: *Solution achieved with our comprehensive tools for litigation support.* Third-party subpoenas are never easy for a corporate recipient or its counsel. However, such instances needn't be expensive or time consuming. HaystackID offers litigation support that combines the best in technology, expertise, workflows, and commitment to client advocacy.

Learn More. Today.

Contact HaystackID today to learn more about how our highly rated eDiscovery consulting and services can enhance your ability to efficiently and economically achieve favorable investigation and litigation outcomes.

About HaystackID

HaystackID is a specialized eDiscovery services firm that helps corporations and law firms find, listen, and learn from data when they face complex, data-intensive investigations and litigation. With an earned reputation for mobilizing industry-leading computer forensics, eDiscovery, and attorney document review experts, HaystackID's Forensics First, Early Case Insight, and ReviewRight services accelerate and deliver quality outcomes at a fair and predictable price.

HaystackID serves more than 500 of the world's leading corporations and law firms from North American and European locations. Our combination of expertise and technical excellence, coupled with a culture of white glove customer service, makes us the alternative legal services provider that is big enough to matter but small enough to care. **Learn more today at HaystackID.com.**