

## eDiscovery Solutions

### eDiscovery Solutions: A Value-Added Program for Chartis Policyholders

eDiscovery Solutions is a value-added program which offers Executive Edge<sup>SM</sup> policyholders the advantages of assisting with the creation of an e-discovery plan before litigation commences and the development of cost effective strategies to address e-discovery when a claim arises. The risks associated with not being prepared to handle requests to produce electronically stored information (ESI) are significant as companies are held accountable for missteps made along the way and the potential costs of e-discovery are exorbitant. With eDiscovery Solutions, policyholders have access to an optional suite of services designed to minimize the risks and expense of e-discovery.

#### Program Benefits

Helps policyholders create an effective e-discovery strategy before a claim arises

- 2.5 hour “boot camp” addressing the major components of e-discovery, plus an additional 10 hours of expert e-discovery consultation to assess e-discovery readiness at no cost to insureds that remain on risk with Chartis

Pre-approved independent experts guide you through the process of responding to ESI requests

- Assistance with responding to requests to produce ESI through development of cost effective strategies
- Oversight of the complete e-discovery process, including assessment of information systems capabilities, locating and preserving relevant electronic data stores, and establishing metrics to evaluate and monitor efficient execution
- First dollar coverage of \$25,000 towards the consultants’ services at no additional premium after which insureds may continue to benefit from those services at pre-negotiated, favorable rates

#### Are You Prepared For e-Discovery?

##### What steps has your company taken to ensure that ESI can be culled in a proper, cost effective manner in the event of litigation?

eDiscovery Solutions provides a 2.5 hour “boot camp” by Encore Discovery Solutions<sup>1</sup> to educate policyholders on the major components of e-discovery and the pitfalls to avoid before a production request is ever received.

**Example:** By taking advantage of the benefits available through eDiscovery Solutions, Company X created a defensible data minimization process designed to achieve material but appropriate reductions in data. These steps resulted in a 96.4% reduction in data that needed to be reviewed by counsel in response to a request to produce ESI.

##### Are you confident that your company has a legally defensible litigation hold policy that is not overly burdensome or costly?

eDiscovery Solutions can provide your company’s IT and legal teams with the education necessary to create and validate an efficient preservation process. Within one year following the “boot camp,” policyholders still on risk may take advantage of an additional 10 hours expert e-discovery consultation with Encore to assess their level of preparedness on a wide range of issues. These services are available at no cost to policyholders and favorable rates are available to those policyholders who wish to purchase additional services.

**Example:** The consulting services available under eDiscovery Solutions provided Company X with an in-depth approach to mapping its data sources and preserving ESI properly to support efficient discovery.

<sup>1</sup> Encore Discovery Solutions is an independent third-party provider of e-discovery services.

## Does your company's IT department and legal team have the expertise to thoroughly vet an e-discovery processing vendor's capabilities and proposed work scope?

eDiscovery Solutions' pre-approved independent consultants possess the industry knowledge to help your defense team find the right vendor, define the appropriate scope of work for that vendor, manage the proposal process and oversee the work, taking on a role similar to that of a general contractor.

**Example:** Concerned with costs being generated by an e-discovery processing vendor, Company X turned to an eDiscovery Solutions independent consultant. The consultant identified for Company X and its legal team issues with the scope of work performed. A replacement vendor was retained and Company X avoided unnecessary processing costs.

## Does your company have the resources to evaluate an e-discovery request and negotiate favorable rates from e-discovery vendors?

eDiscovery Solutions provides tremendous value to policyholders through our independent consultants' industry knowledge and expertise in all aspects of e-discovery – including appropriate pricing models.

**Example:** A portion of relevant ESI maintained by Company X was believed to be contained on backup tapes which required restoration. An e-discovery consultant worked with defense counsel to analyze the project and negotiate a favorable rate for the work. Substantial cost savings were ultimately achieved from the initial price quoted by a leading restoration vendor.

## Have you considered alternatives to the traditional discovery approach such as using contract attorneys to tackle large scale document review projects?

eDiscovery Solutions' independent consultants coordinate the multiple parties involved (management, defense counsel, IT staff and external vendors) to help create a legally defensible and cost effective strategy, including the use of contract attorneys to perform document review where appropriate and at favorable hourly rates without sacrificing quality.

**Example:** By using contract attorneys instead of defense counsel's own attorneys, a large document review project in the defense of Company X was handled at an hourly rate of \$50 instead of the \$340 rate proposed by defense counsel. The use of contract attorneys in this case resulted in substantial cost savings and defense counsel was confident in the quality of work.

To learn more about eDiscovery Solutions, visit [www.chartisinsurance.com](http://www.chartisinsurance.com), email [executiveliability@chartisinsurance.com](mailto:executiveliability@chartisinsurance.com) or contact your insurance broker.

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Executive Liability is a division of Chartis, a world leading property-casualty and general insurance organization serving more than 40 million clients in over 160 countries and jurisdictions. With a 90-year history, one of the industry's most extensive ranges of products and services, deep claims expertise and excellent financial strength, Chartis enables its commercial and personal insurance clients alike to manage virtually any risk with confidence.

Chartis is the marketing name for the worldwide property-casualty and general insurance operations of Chartis Inc. For additional information, please visit our website at [www.chartisinsurance.com](http://www.chartisinsurance.com). All products are written by insurance company subsidiaries or affiliates of Chartis Inc. Coverage may not be available in all jurisdictions and is subject to actual policy language. Non-insurance products and services may be provided by independent third parties. Certain coverage may be provided by a surplus lines insurer. Surplus lines insurers do not generally participate in state guaranty funds and insureds are therefore not protected by such funds.