

Plaintiffs Win Motion by Using Advanced Analytics

Plaintiffs Win Motion by Using Casepoint

In a case involving a group of major commercial airlines, Casepoint's TAR capabilities were used by the leading Plaintiffs co-counsel to not only cull 3.5 million documents to 600,000 documents, but also to identify and expose an overproduction caused by another eDiscovery solution that uses bolted-on software for its analytics features. This resulted in the courts granting the Plaintiffs' request for an extension over the Defendants' objections.

The Defendant (which used a bolted-on, multi-software solution) estimated their production would contain 85% of all responsive documents with a 58% precision rate. With these estimates, the production was expected to contain at least one responsive document for every non-responsive document captured by TAR (1:1). The Defendant produced 3.5 million documents by the strict deadline provided by the courts.

A month after production, the Plaintiffs used Casepoint's AI-assisted review features to validate the data. The Validation Sample indicated the production actually contained over 97% of all responsive documents, but the precision estimate was only 16.7%. This means that Plaintiffs would need to sort through at least four non-responsive documents for every one responsive document in the 3.5 million document production (4:1) -- a much different outcome compared to the Defendants' Control Set estimates. It took the Defendants' attorneys a month to confirm this error, which was made using the AI-assisted review features of the bolted-on software solution. Following the Defendants' acknowledgment of the error, the Plaintiffs submitted their motion to extend, which was then granted by the Court.

Summary

In the middle of a Plaintiffs case, the Plaintiffs discovered that the Control Set estimates provided by the Defendant (a major commercial airline corporation) differed from the Validation Sample produced using Casepoint. The findings resulted in the Court's ruling in the Plaintiffs' favor.

The Facts

- ✦ Culled **3.5 million** produced documents down to **600,000** responsive documents
- ✦ Casepoint identified and exposed an overproduction of documents made by another eDiscovery solution that uses bolted-on software for its analytics features

