

Managed Document Review

How a Leading Pharmaceutical Company Teamed Up with Legal Managed Services to Meet Litigation Deadlines and Control Costs

Who do you turn to when you have a large volume of highly technical documents, multiple codes and jurisdictions, and unpredictable production deadlines?

The pharmaceutical industry is a frequent target of product liability lawsuits. Leaving aside the often stunning costs of claims settlements and jury awards, these suits frequently result in astronomical legal expenses. Often every stage of the product life cycle must be examined in such cases, which can make document review especially costly. In this case, our client, one of the world's leading pharmaceutical companies, was involved in a class-action product liability matter relating to the manufacture and distribution of a product it had recently recalled.

THE CHALLENGE

The client would ultimately use the same document set across multiple cases in seven U.S. jurisdictions; as a result, they required a highly detailed review of these documents, with over 150 issue codes. The document review needed to be 99% accurate, with reviewers meeting high-volume biweekly deliverable deadlines. The client was looking for a managed document review team who could work with them for over a year, and who had the experience and the technical acumen to fully understand industry-specific processes, from product manufacturing to sale and recall.

To meet this challenge [Legal Managed Services](#) with Pangea3® people and process expertise was called in to partner with the client's longtime outside counsel on the [document review](#).

THE SOLUTION: BECOMING A TRUSTED PARTNER

Because of the complexity of both the case and the materials in the document set, it was essential that the Legal Managed Services team become a fully versant, trusted extension of the client's outside legal team.

To achieve this goal, in the first stage of the managed document review, the team worked closely with the client's outside counsel to ensure that the reviewers were fully acquainted with industry-specific terms, understood the client's complicated product life cycle and product recall

processes, and was trained on the role and importance of the extensive regulatory reporting requirements.

This training was aided by a custom project playbook that included process lif-cycle flow charts, acronym lists, and product name lists containing all names for each product in every stage of its life cycle, as well as every brand and every country in which it was released. As the document review ramped up and new people joined the team, they could be quickly on-boarded with this information by senior Legal Managed Services attorneys on the case.

In addition to formal training, team members sent multiple escalation emails each day at the beginning of the review that identified questions or issues to be answered by in-house or outside counsel. Their responses were entered into the project playbook. As the review went on, the team sent fewer escalation emails and ultimately worked with the outside counsel as a trusted partner and extension of his team.

A SEAMLESS MANAGED DOCUMENT REVIEW WORKFLOW

The Legal Managed Services team devised a three-tier workflow to accommodate the client's need for detailed coding of objective metadata, over 120 codes of substantive and confidentiality tagging, and a thorough privilege review, including a privilege log. A large team of over 100 people was devoted to this project and assigned to different parts of the workflow depending on each member's skill set. New members were added to scale with the project, but the core of the team saw the project through from beginning to end.

Due to the extensive privilege coding, all documents were reviewed by a privilege SWAT team in addition to the standard three-tier review. This team, formed by the most senior attorneys on the case with experience on hundreds of complex document reviews, performed detailed privileged coding and privilege log creation. Documents tagged for redaction in the substantive review portion also went to this SWAT team for redaction of proprietary information, nonrelated privilege information, partially privileged information, and personal information.

This three-step workflow maximized efficiency, allowing [Pangea3](#) to finalize complete sets of reviewed, coded, and redacted documents before each deadline. It also enabled Pangea3 to select a few people from each team for frequent value-added projects for the client, while the rest of the review continued at full speed.

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VALUABLE ADD-ON PROJECTS

As the relationship between Legal Managed Services and the client's outside counsel grew, the outside counsel developed a deep trust in Pangea3 and expanded their strategic use of Pangea3 litigation expertise beyond document tagging.

When the client started the deposition phase of the litigation, the production schedule shifted depending on witness availability, which also meant that the document production schedule needed to adapt on short notice. By building an expert and strong process at the outset, Pangea3 was actually better able to adapt to the changing circumstances. So, in order to meet this new client need, Pangea3 created a smaller project team composed of reviewers from each phase of the workflow. This team delivered document sets for the newly prioritized deposition custodians, while the larger group continued with the established production schedule. The client also leveraged the review platform and substantive expertise of Pangea3 by having the team run strategic searches to locate crucial documents across data sets for the deposition custodians.

CONCLUSION

Ultimately, Pangea3 developed a bespoke and smart managed document review process and was able to provide a large, dedicated team that worked seamlessly with the client's outside counsel for over a year. The client benefited from the agile and efficient three-tier document review workflow, which adapted to the changing needs of the litigation. Today, the client still uses these documents as coded by Pangea3 in ongoing litigation.

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