



THE LITTLE ELEPHANT THAT COULD*

*Based on a Real-Life Document Review Story

by
Andrea Weinberg



Jimmy Bond hung up the phone after learning the results of his EDD vendor's processing. "Five million documents after best practices in e-discovery! Those guys at Better-by-Chocolate must be email maniacs! My preliminary case analysis indicated that discovery would consist of way less than five million docs!" Jimmy lamented to his assistant, Margaret. Jimmy collapsed at his desk, his heart racing as he thought about all the demands placed on him: the financial pressures of opening his own twenty-person firm, his mortgage, five million documents to review, a fast-track production deadline, and, to make matters even more interesting, his agreement with the client, Better-by-Chocolate, LLC, meant he had a minimal discovery and document review budget.

The case seemed like a "slam dunk" when he first discussed the matter with Better-by-Chocolate's GC. In short, a large multinational company, Too Cool for School, Inc., had obtained proprietary information and had infringed upon Better-by-Chocolate's patented product, the "Magic Drop," a revolutionary peanut butter and chocolate morsel that, when eaten, cleared up 75% of a person's acne within two days. Too Cool for School had acquired proprietary information and Better-by-Chocolate's GC was positive that, somewhere within the five million documents, were email messages and documentation implying that Too Cool for School was infringing the patented product. It was shaping up to be a David versus Goliath scenario.

Unfortunately, however, after some internal investigations, the GC was not exactly clear as to who had written the email messages or about the exact date when they were received. All he had was a time frame. "I simply have to win this case." Jimmy thought to himself. "The client and the firm both desperately need a favorable outcome. How will I ever manage a review of five million documents for privilege and twenty strategy issue codes with this minimal budget and fast-track deadline?" It was at that very moment that, head on his desk, a little wooden elephant caught Jimmy's eye. Suddenly, he remembered a company he met at LegalTech called Tusker Group, that performs document review using Indian attorneys who are trained and managed by US-licensed attorneys.

Jimmy quickly brought up www.tuskergroup.com on his computer and was pleased to find testimonials from their current clients, vouching that Tusker's offshore document review is a valuable asset to their litigation strategy, producing high-quality work and providing a cost-effective solution for document review.

He dialed their hotline and immediately reached a Tusker Group project manager. Excitedly, Jimmy provided her with brief details of the

IN THIS ISSUE:

The Little Elephant
That Could

Did You Know?

Tusker Group
Spring Road Trip

[continued...](#)



DID YOU KNOW?

Elephants can run up to 25 mph for short distances.

THE LITTLE ELEPHANT THAT COULD, cont'd.

Better-by-Chocolate, LLC v. Too Cool For School, Inc. matter, as well as outlining his deadline and budget predicaments. "No problem at all," the project manager stated. "Legal document review is all we do and we have extensive experience with IP litigation matters. We've reviewed far more documents in even shorter time frames for other clients," she proclaimed. "We'll dedicate a team to the matter as soon as we execute confidentiality agreements with you and run some conflicts checks." After discussing the process and working out cost details with her, Jimmy hung up the phone, a huge grin of relief spreading across his face.

Over the next few days, Jimmy and a few of his associates conducted several conference meetings and calls with the Tusker project manager as well as the dedicated Tusker team. They discussed the details of the case and the cast of characters involved. Jimmy's confidence grew with each insightful question the team asked him. He appreciated the daily updates and felt that the operational flow was the best he had ever experienced with document review. "It's as if they're an extension of our legal team," Jimmy happily stated to Margaret when she asked how the review was working out with "the elephant people".

One month into the review, Jimmy received a call from the Tusker project manager. "Mr. Bond, after performing several targeted power searches, our team came across numerous email chains and documents relating to key players that we would like to bring to your attention," she explained. Jimmy logged into the review database and navigated to the email messages in question. Sure enough, the Tusker team had identified the "hot" correspondences that Better-by-Chocolate's GC had been so certain existed.

Given these crucial strings of correspondences and documents that were found by the Tusker team, Jimmy was able to successfully piece together and build the facts that showed Too Cool for School had willingly obtained proprietary information and had willfully infringed the patent for the Magic Drop. Jimmy Bond jumped up and did a victory dance, not realizing that Margaret was standing in the room until she applauded enthusiastically. "Jimmy, I never knew you could dance!" she exclaimed. "Honestly, Margaret, I didn't know that I could either. But what I do know is that justice will prevail!" Jimmy shouted, "I guess my legs are just as happy and relieved as I am." Over the course of the next few months, in light of the evidence identified during document review, Better-by-Chocolate, LLC and Too Cool for School, Inc. reached a multi-million dollar settlement.

Better-by-Chocolate's GC stopped by the office of Jimmy Bond, LLP to close the matter. "I have to hand it to you, Jimmy, you really came through for us," the GC said. "There was a moment when I really thought that Too Cool for School was going to take us under, given all the difficulties that the discovery phase produced for us."

"Well, I can't take all the credit," Jimmy replied. "I couldn't have done it without Tusker Group." Jimmy winked at the little elephant on his desk and swears to this day that the elephant winked right back at him.

[continued...](#)



TUSKER GROUP:

**DOCUMENT
REVIEW IS
WHAT WE DO.**

Objective Review

First Level
Document Review

Advanced Strategy
Review

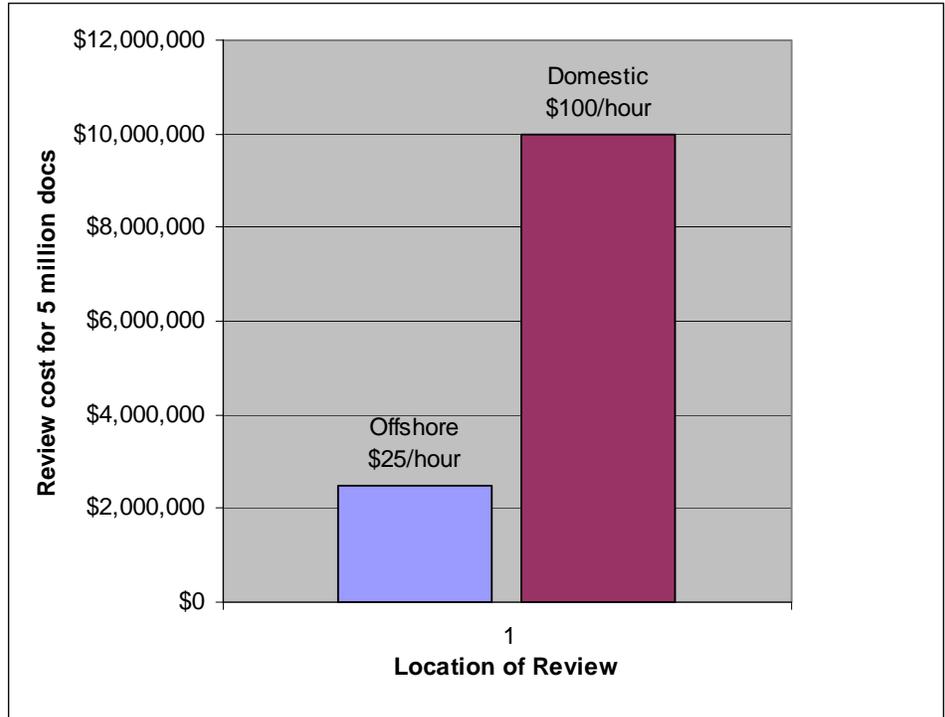
Customized Solutions

Outstanding Service

Superior Quality

THE LITTLE ELEPHANT THAT COULD, cont'd.

Jimmy continued to enjoy success on other matters as Tusker maintained a group of attorneys to handle all of Jimmy Bond, LLP's large-scale document reviews.



*This chart/pricing assumes a review rate of 50 documents per hour. This is a favorable industry average that may be significantly affected (higher or lower) by factors such as internet connectivity and the platform and technologies used to perform the review (i.e., conceptual review vs. linear review.)

TUSKER GROUP SPRING ROAD TRIP

Tusker Group will be on the road and visiting several major US cities in the coming quarter in order to meet and explain our advanced review services to interested clients.

Contact Dario Olivas, Esq., at dolivas@tuskergroup.com, or John Thickett at jthickett@tuskergroup.com to see when we are visiting your city and to arrange an appointment.

TUSKER GROUP, LP
100 CONGRESS AVENUE
SUITE 2000
AUSTIN, TEXAS 78701

(877) 4-TUSKER
(877) 488-7537
info@tuskergroup.com
www.tuskergroup.com

If you do not wish to receive this publication, click [here](#) to unsubscribe.