



O'Melveny & Myers LLP and H5:
The Next Generation
of Cost-Efficient
Document Review



The O'Melveny/H5 Alliance

Document review projects are not what they used to be. Potentially relevant documents used to exist in cardboard boxes. Small teams of lawyers would review the documents and identify a responsive set. Typical document productions were a non-event and rarely cost prohibitive.

A lot has changed. Today's documents exist in electronic repositories that store an endless variety of reviewable material, including the 210 billion worldwide emails we send every day. Scores of lawyers are needed to review electronic data in even the most routine cases. And as technology continues to offer new and useful modes of communication, the volume of document discovery continues to grow. Meanwhile, the cost of a traditional, page-by-page review of documents continues to escalate.

O'Melveny & Myers LLP recognizes the burdens that our clients are facing as a result of these technological realities. This is why we have aligned with H5, a global information retrieval firm. H5 has developed an automated approach to document review that, in many cases, is more cost-effective – and more accurate – than its manual counterpart. Unlike other e-discovery vendors, H5 does not provide litigation support software or search tools. H5 provides expert information retrieval solutions using a combination of technology and experienced professionals in linguistics, natural language processing, statistics, computer science, process engineering, and e-discovery. H5's professionals work with case teams to build search terms based on advanced linguistic techniques. They run millions of searches across the full document collection to identify and categorize documents responsive to the case team's criteria. And H5 tests the results at every step. H5 flexibly and rapidly conducts sophisticated reviews of electronic information of any volume. The result is a high rate of accuracy at a lower cost.

H5's cutting-edge scientific approach aligns with O'Melveny's battle-tested experience in electronic discovery. Together we provide our clients with several alternatives to the costly and risk-laden approaches that currently exist in the marketplace. For O'Melveny and H5, the future of document review for our clients is not tomorrow. It is right now.



Client Success Story

An O'Melveny client's internal investigation was underway. Deadlines were fast approaching and lawyers needed to have the key documents as soon as possible. The subject matter was highly technical, the factual investigation was not complete, and the document collection was still growing. O'Melveny engaged H5 to assist.

H5 information retrieval experts interviewed the lead attorneys on the investigation and quickly grasped the complex issues. Through strategic culling, H5 reduced the collection from over one million documents to roughly 580,000. **Then, through regular dialogue with the O'Melveny team, H5's information retrieval experts identified and categorized 17,000 documents as responsive to the most important issues, and prioritized a focused set of just over 400 key documents directly responsive to the O'Melveny team's requests.**

H5's scalable process also allowed the team to adjust search strategies as new theories developed — *without restarting the review*. In fact, rolling data deliveries from the client continued right up to the final week of the project, sometimes containing documents that had been generated within the organization a mere two weeks earlier.

The O'Melveny and H5 teams were able to identify the key documents within a timeframe that would not have been possible using traditional linear review methods. **And in the end, they saved the client over one million dollars in review costs.**

What Others Are Saying About the Alliance

"I view this partnership as a great step forward for the market...with luck, the entire market will benefit: [O'Melveny's] move may force the rest of BigLaw to talk about the elephant in the litigation room in new terms."

- Prism Legal, August 10, 2009

"H5's joint effort with O'Melveny will help clients meet legal and regulatory obligations with a scientific and disciplined approach that withstands judicial scrutiny, while addressing the significant costs associated with document review and analysis today."

- TechTrends, August 3, 2009

"The rationale is this: the clients will pay well, even now, for good legal advice, for specialist skills, and for the strategic and tactical input which is the traditional role of the lawyer and which lawyers are good at. Technology providers may not know much law, but they are good at finding data. It seems obvious that the two sets of experts should join forces."

- The e-Disclosure Information Project, August 14, 2009

About O'Melveny

O'Melveny's Electronic Discovery and Document Retention Practice, formed as a litigation specialty within the Firm in 2005, includes approximately 35 partners and associates globally, many of whom are regarded as pioneers in the field.

O'Melveny's lawyers have represented clients in some of the earliest and most significant litigation matters involving electronic evidence. We have pioneered creative, strategic and cost-saving measures that are on the cutting edge of this fast-changing practice area. We have also successfully litigated many issues of first impression. With our mastery of both the substantive legal issues and the evolving technological backdrop, our talented team of electronic discovery lawyers gains tactical advantages for our clients at all stages of a litigation matter — and always seeks ways to mitigate the growing expense associated with electronic evidence.

Outside the courtroom, our electronic discovery lawyers are thought leaders, authors, and speakers on electronic discovery strategy. We are active in the electronic discovery community, and serve on several advisory boards in the field, including: the Board of Governors of the Organization of Legal Professionals (an e-discovery standard-setting organization); the Sedona Conference; Strafford Publications' Litigation & ADR Advisory Board; the International Institute for Conflict Prevention & Resolution E-Discovery Committee; and the ABA Section of Litigation Task Force on Electronic Discovery. Our electronic discovery lawyers have also authored two e-discovery practice guides published by BNA Books — *Electronic Discovery Practice Under the Federal Rules* (2nd ed. 2008) and *Preserving Electronic Information: A Practical Approach* (2009).

About H5

H5 is an information retrieval firm that helps law firms and corporations search, assess, and manage electronic information. Through a range of advisory and implementation services—including document review, data management, and analysis—H5 finds the information clients need to meet litigation, compliance, and enterprise-wide preservation and retention objectives. Our principled process combines advanced technologies with expertise in linguistics, statistics, computer science, process engineering, and e-discovery to reduce clients' information management costs while minimizing their risk. For more information, visit www.h5.com.

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