Structured Database Discovery

During the eDiscovery process, plaintiffs and defendants are often on a quest to identify the “silver bullet” that contains the key to confirming or refuting the salient points of a case. However, what to do when this answer lies outside of a hot document or email, but within the parameters of structured or “fielded” data. This data (which includes financial data, such as general ledger or sales data, stock trading activity, cash transactions, healthcare claim or payment data), is generally stored in large enterprise systems or archived data warehouses and often describes the size, shape, or the entry/exit path of that “silver bullet”. The quandary facing companies is how to best identify and capture the necessary information, when the typical tools and processes of document based eDiscovery don’t work?

The Forensic & Litigation Consulting (FLC) practice at FTI Consulting provides multidisciplinary, independent dispute advisory, investigative, data acquisition, analysis and forensic accounting services to the global business and legal community. Our team supports clients facing high stakes litigation, arbitration, compliance investigations and regulatory scrutiny.

The Financial and Enterprise Data Analytics (FEDA) practice within FLC delivers strategic business solutions to clients requiring in-depth analysis of large, disparate sets of financial, operational and transactional data. Our professionals work with clients to efficiently identify and access relevant systems and system generated data that is applicable to a business issue, investigation or litigation. FEDA’s expertise and technical skill allow for the use of this data to provide additional insight through complex analyses, data mining for specific transactional activity, and the ability to define relationships across multiple data sources, both internal and from third parties. In addition to the technical abilities to deal with numerous third party and custom systems, the FEDA practice has a deep understanding of financial data and how it is used by companies and assists companies with risk avoidance and mitigation measures in their operations or business transactions.

FTI Consulting’s FEDA practice is a well-established global practice entrusted by our clients to handle the most complex and high profile matters. The outgrowth of the practice is a result of recent FRCP amendments and obligations to produce ESI which includes databases, legal education organizations advancing the adoption of information governance principles and best practices, data repositories that are searchable and accessible and the availability of data analytics technology providing actionable insight and business intelligence to resolving business disputes.

Our professionals are highly-skilled in conducting complex, data-intensive analysis and investigations focusing on lawsuits, government/regulatory investigations, IT system audits and due diligence, insolvencies and other matters requiring the collection and analysis of large amounts of data, complex modelling or information sharing. Our team’s ability to identify the relevant data within an organization, and our extensive experience with various technical tools that manage, analyze and present large data sets provides our clients with the most robust capabilities across the eDiscovery industry.

Structured Data versus classic ESI eDiscovery

Without the proper protocols, the handling of this data from enterprise systems can give rise to devastating consequences

- Spoliation (conversely, unnecessary preservation of damning evidence)
- Adverse inferences (e.g. inefficient or non-standardized reporting)
- Significant costs and/or fines

FTI Consulting has the professionals with experience and skillset to ensure that our clients

- Identify the appropriate extraction methodology (‘near native’, full backup, targeted exports)
- Get the benefit of triangulation between our
  - deep functional experience (accounting and finance)
  - expertise in enterprise information management systems
  - knowledge of numerous database technologies
  - business intelligence and data visualization skills
• Apply the appropriate culling strategies, given that keyword or concept searches to help locate potentially relevant data aren’t often pertinent to structured data sets
• Address the issues with disparate data issues, including system archiving, conflicting datasets, multiple data sources per response
• Utilize FEDA customized structured data redaction tools, allowing for the secure, 3rd party review and redaction of native or ‘near native’ structured data sets

**ESI Structured Data Sources**
The FEDA practice has extensive experience identifying, extracting, reviewing producing, and reconciling data from many different source systems. The depth of expertise in the various structured data sources allows FEDA to quickly, efficiently and effectively identify the best strategy to acquire, normalize, validate and analyze data from many sources, including:

• Oracle Financials
• SAP
• PeopleSoft
• SAS
• Great Plains
• Hyperion
• Lawson
• Kronos
• UBA
• XML messages
• JAVA
• .NET
• SharePoint
• Customized MYSQL

**Advanced Tools**
Complex disputes involving multifaceted sets of transactions require sophisticated tools. These tools enable us to collect, organize and understand the information relevant to a case, and to provide custom third party tools for attorneys and clients to analyze, review, and redact these structured data sets. FEDA leverages these tools to create a central repository for all structured data that is utilized throughout a case from the acquisition of data to production; ensuring accuracy, traceability and custom functionality. Our professionals have extensive experience in designing and implementing the necessary tools, including:

• Oracle Data Base
• Tableau
• Oracle APEX
• Microsoft SQL Server
• SharePoint
• FTI Consulting’s Proprietary Solutions

**Exemplar Case**
A large automotive company faced an investigation due to significant product liability exposure from a Multidistrict Litigation, as well as numerous investigations by regulatory entities related to an issue with its customer vehicles. FTI Consulting was hired to facilitate the strategic response to the companies ESI issues, including the systematic identification, collection, and production of multiple enterprise databases. Specifically, FTI Consulting:

• Identified, acquired, and analyzed various enterprise datasets and documents from the client’s internal IT systems representing customer response data and vehicle issue related transactional data, that were representative of vehicles responsive to the alleged issues.
• Served as strategic advisor to client Counsel regarding structured data case discovery issues
• Developed customized structured data review tools to assist counsel’s court ordered requirement to review/redact in ‘near native’ structured data format
• Reviewed and analyzed millions of transactional records, and their tie to potentially ‘hot’ documents to determine relevancy to regulatory request(s).
• Consolidated multiple data sources and normalized data anomalies into structured data productions for regulatory entities.
• Created document library to host structured data productions with counsel and related virtual law firm parties.
• Ongoing, daily support of the engagement to counsel.