



Proven Experts in Second Requests and Antitrust Matters

The demands of a Second Request can be onerous, often involving large-volume productions of documents related to financials, business plans, sales data, and other information associated with a merger or acquisition—all of which need to be completed in an accelerated timeline. KLDiscDiscovery offers the industry’s most powerful data processing and review platforms, a dedicated team of Second Request experts, and global managed review resources to help ensure **timely** and **accurate** productions to antitrust regulators.

Why KLDiscDiscovery

Second Requests and antitrust eDiscovery projects are synonymous with complexity, aggressive deadlines, and enormous data volumes. Our team of Second Request experts has successfully facilitated all aspects of eDiscovery in high pressure regulatory landscapes. With expertise developed over years of managing these matters, we maximize efficiency through people, process, and technology allowing us to meet critical deadlines in compliance with agency specifications.

We are leaders in cross-border issues with a global footprint.

We have produced data to more than 30 competition bureaus, including SIRs in Canada, CMAs in the UK, Phase II investigations for the EC, and more while keeping data secure in compliance with global data privacy laws. Our data centers in North America, EMEA, and APAC ensure global collections capabilities and our teams have experience with multilingual review and productions to competition authorities around the world.

We have experience in every major industry and vertical.

Our experts have successfully completed Second Requests in industries including technology, healthcare, energy, financial, pharma, food and beverage, and more. This experience gives us familiarity with a broad variety of technical systems, file types, and database systems.

We react quickly to overcome any challenge to help ensure on-time productions.

For a recent matter with novel file types, our team developed custom solutions to convert and process data into formats regulators could receive and review.

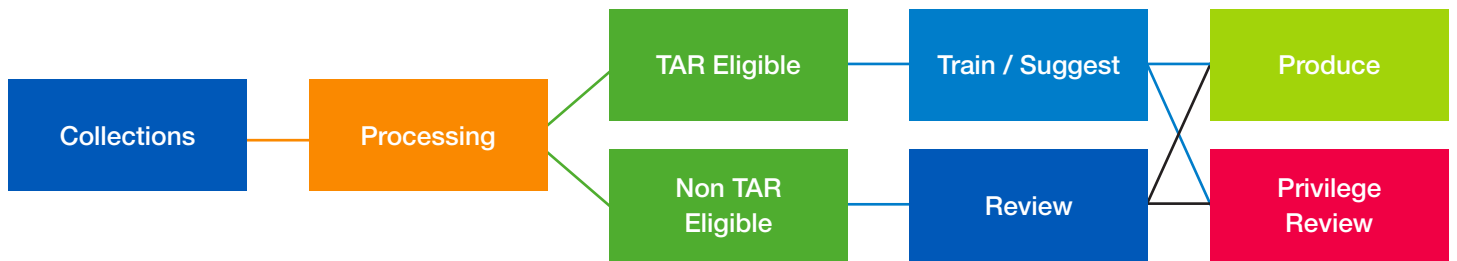
With a significant increase in M&A activity expected comes a need for an experienced partner uniquely equipped to help manage submissions to the FTC, DOJ, EC, and other global competition bureaus.

Did you know?

- KLDiscDiscovery has completed 170+ Second Requests since 2012
- Our top experts have more than 34+ years of combined experience making KLDiscDiscovery a pioneer in the industry
- We were one of the first to provide end-to-end capabilities for Second Requests, including identification and preservation, collection, processing, review, and production

Our Process

We focus on workflow, using technology assisted review (TAR) and project management to meet the accelerated timelines of Second Requests.



■ Integrated Technology and Feature Enhancements

Relativity and Nebula AI are fully integrated into our Nebula ecosystem meaning there is no need to shuttle data between multiple platforms saving time and reducing cost.

■ Documentation and Agency Interactions

Our experts provide draft documentation and work with agencies on standards, in addition to assisting clients in their interactions with global agencies and regulators.

■ Expertise + TAR = Results

Our teams have been using TAR with Second Requests for more than 10 years, giving them the experience to know how best to leverage TAR on large projects and how to achieve greater precision at the predefined recall cutoff.

■ Training > Improvement > Validation

Our standards have been tested and approved by agencies. Our teams know how to train the TAR model, how to identify documents best suited to improve results, and multiple ways to validate results while making efficient use of clients' time and effort.

■ Start Privilege Review Sooner

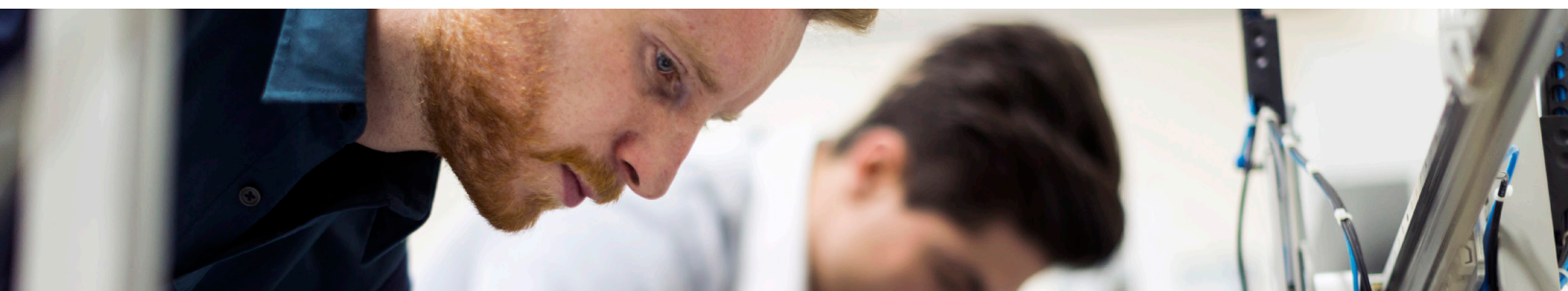
Our established TAR methodology allows clients to get a head start on Privilege Review, before the model is fully trained, ensuring we meet deadlines and minimize review costs.

Data Collection

The KLDDiscovery Regulatory Team is well versed in conducting custodian interviews to assist with proper identification of relevant data sources required for collection. Steps include:

- Conducting interviews with clients' IT experts, discussing all systems in use
- Developing a baseline plan of attack for collecting data from all relevant sources
- Ensuring an open line of communication to confirm all data is properly collected as additional data sources and systems are introduced
- Preparing custodian questionnaires and distributing them for review in advance of custodian interviews
- Conducting custodian interviews, documenting where relevant custodian data exists

KLDDiscovery Forensic Analysts are certified experts with the knowledge and tools to collect data from diverse platforms to ensure the integrity of the data is preserved. In addition, our forensic experts monitor changes in existing technology to make certain our tools are updated to account for recent advancements. Moreover, we are positioned to develop tools and solutions for new data sources as needed, which is typically the case with Second Requests in the Technology sector. Equipped with experts to build new solutions, KLDDiscovery is prepared to tackle evolving technological needs in the dynamic world of eDiscovery.



Review Management

Teams

KLDiscovery's Managed Review team includes a dedicated Second Request/Regulatory Compliance team comprised of seasoned review managers, assistant review managers, and team leads. This team possesses a profound comprehension of the distinctive demands associated with Second Requests. When it comes to high-stakes antitrust matters, our reviewers are trained to navigate the nuanced topics, workflows, and specialized documents that define these complex cases with precision. Our deep bench of antitrust reviewers ensures we can meet any staffing need and guarantee efficiencies in both management and TAR workflows.



Managed Review

Our Review Managers leverage proven workflows and industry-leading best practices to ensure a seamless review process that meets deadlines.



Daily Reports

Our daily reporting and accompanying summaries reflect up-to-date progress on workflows, the corpus of documents remaining, review metrics, and matter-specific customized metrics. Through the daily reporting process, our Review Managers identify opportunities to streamline the review by reducing select data sets or pinpointing additional keywords and search terms to enhance review. This data-driven approach allows us to refine our strategies dynamically and tailor our methodologies based on trends within the data.



Daily Status Assessments

We conduct several status assessments each day to ensure workflows are properly progressing and staffed to meet all deadlines.



Production Preparation

Our Review Managers proactively anticipate production needs and map out customized plans to ensure a streamlined process for preparing documents and conducting necessary quality controls, enabling timely and accurate productions.



Client Playbooks

Every client has unique requirements and preferences when it comes to the review process, which is why we craft a Managed Review playbook for each client. The playbook serves as a strategic blueprint, encapsulating specific preferences and ensuring a consistent, streamlined approach through the entirety of the review process.



Workflow Review

Our Review Managers are experts at managing multiple concurrent workflows, partnering with our Project Management and Technologist teams to seamlessly prioritize documents through our proprietary workflow batching system that automatically routes documents to the appropriate workflow stages and designated reviewers. Standard workflows include, but are not limited to:

- 1L Privilege Review
- PII/PHI Review
- Privilege Logging and Redactions
- 1L Resp Review
- Slack/Chat/Phone Data
- Final Privilege Log and Legend
- Password Protected Documents

Quality Control

We conduct a comprehensive quality management process, tracked in our proprietary Quality Control Log. Our approach begins with an Early Review Assessment (ERA), consisting of a representative sample of coding decisions from the first day of review. This proactive measure allows us to confirm our Review team's comprehensive understanding and accurate application of the protocol, affording an early opportunity for counsel to provide guidance and ensure proper calibration. By engaging counsel in the ERA process, we foster a collaborative partnership to prioritize transparency and alignment from the outset. Close collaboration allows us to swiftly address any potential misalignments and fine-tune our approach to meet expectations. We also conduct regular sampling and monitoring of individual reviewers, fostering a continuous loop of feedback and Q&A to ensure consistency and accuracy. Additionally, we conduct targeted searches for sensitive privilege terms, privilege agents, third parties, file names, and any additional matter-specific QCs. Leveraging analytics is a key complement to our QC approach, including domain parsing, duplicate identification, and thread-level examinations.

Case Studies

1	Situation A Second Request was issued by the FTC.	Solution We fast-tracked the review leveraging KLDDiscovery's platform and predictive coding technology.	Results We collected 2.5+ TBs of data from 60+ custodians , narrowing it to 880 GBs for review. After review including predictive coding technology that returned a 90% document classification accuracy rate , we produced under 500,000 documents which aided the merging companies in completing the FTC production in less than 2 months .
2	Situation Approval of a multibillion-dollar acquisition in the energy industry hinged on quick compliance with the FTC's Second Request.	Solution With proven workflow, reliable capacity, and timely attention, we helped close the deal—completing all work within 45 days from beginning to end.	Results Our ability to help the clients produce 2.5 million documents out of 11 TBs of data collected from 52 custodians enabled the transaction to be approved within 30 days of final production.
3	Situation A US-based company needed to produce documents to the DOJ in an antitrust matter.	Solution Our data collection experts collected documents in Japan and Korea, hosting the data in our Japan data center. Our eDiscovery technologists utilized early data assessment, searching, and predictive coding technologies while document reviewers worked quickly on the remaining Japanese and English documents.	Results We eliminated 1,200 hours in document review, resulting in almost \$1.2 million in savings and a successful production to the DOJ .

Meet Our Experts

Allow our experienced team to successfully guide you through a Second Request to get the deal done.



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