

Data Solutions

Focused + Efficient + Effective

Privacy & Security
Information Governance
eDiscovery



Warner Norcross + Judd

Your Data Solutions

Warner Norcross + Judd is the first—and only—law firm in Michigan to provide an integrated team approach to full life-cycle support for business data. More than 30 experienced attorneys, records management specialists, data and information technology specialists and paralegals comprise the Data Solutions team. For more information on how the Data Solutions Group can help you, contact any member of the team listed at: <http://WNJ.com/Data-Solutions>.

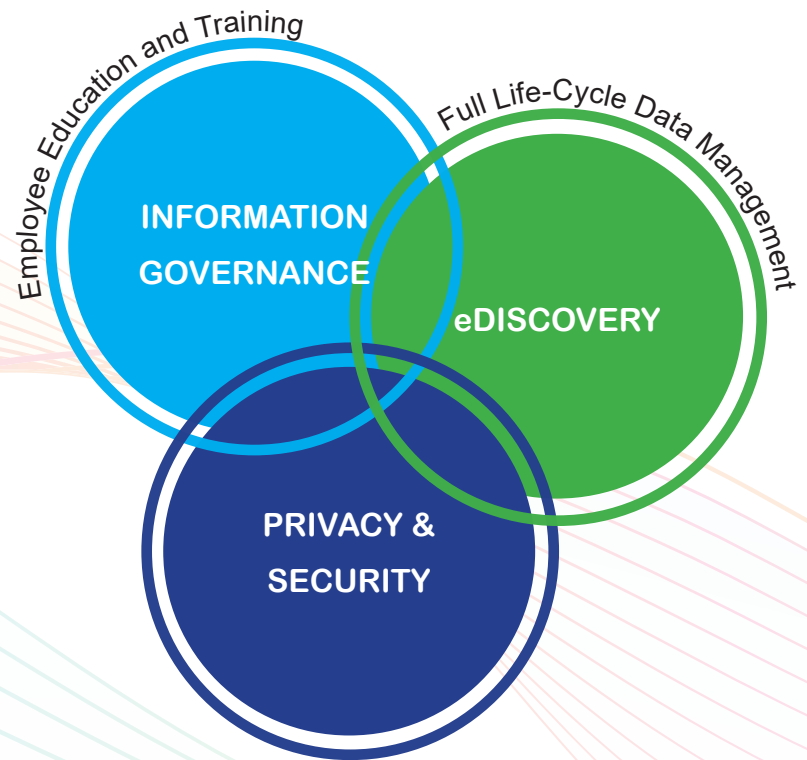


In the United States, the average cost of a data breach is \$230 per record, with the average breach costing companies \$6.53 million.

As the cost of storing electronic data continues to fall, the amount of information we store has increased dramatically. At the same time, the risks associated with the data are increasing, from the risk of a data breach to the risk of expensive disclosures in litigation. We help companies take proactive steps to help manage these risks.

Our complete range of services is designed to provide full life-cycle support for any business data needs. From data privacy and security to information governance and eDiscovery, we have the business acumen and legal expertise to tackle any issue. Our Data Solutions Group includes more than 30 attorneys, database and records experts and IT specialists and paralegals with extensive experience. The Warner Norcross + Judd Data Solutions Group delivers:

- **Data Breach Response:** Our privacy and computer-crime experts will help you investigate potential security breaches, coordinate with law enforcement and, when necessary, comply with breach notification laws.
- **Vendor Management:** For those vendors who handle sensitive data, we help establish a due diligence process for screening vendors, negotiating appropriate privacy and security provisions in contracts and help you monitor the vendor's compliance.
- **Progressive Technology:** We use innovative and state-of-the-art data analytics, predictive coding and other forms of technology-assisted review to quickly process and analyze data.
- **Alternative & Predictable Billing:** With a mindful approach to budgets and clear communications, you won't be surprised—ever. We also offer alternative fee arrangements.



Data Privacy and Security

Data Privacy Guidance

Every day organizations collect information about employees, customers, potential customers and business partners. This data is subject to increasingly more stringent privacy requirements by federal and state law, as well as by contract.

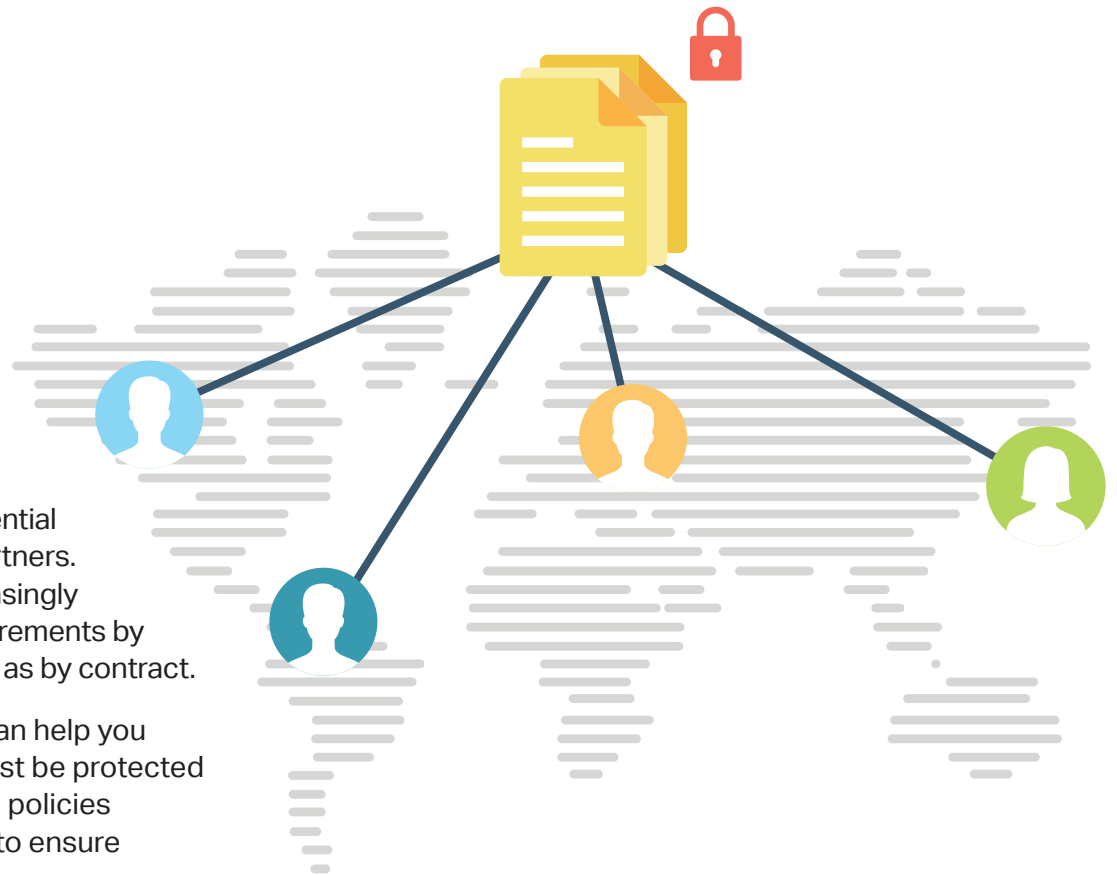
Our Data Solutions Group can help you identify information that must be protected and assist in developing the policies and procedures necessary to ensure confidentiality.

If your organization needs to share sensitive data with others, we can provide the contracts for continuing protection. In the context of litigation and other requests for access to data, we'll help you evaluate when information can be disclosed. We also have the technology and staffing to redact confidential data prior to production.

Our lawyers work as a team and have supported a variety of clients of all sizes across a broad array of industries to meet their data privacy goals and responsibilities.

Our attorneys keep corporations, health care providers and other organizations up to speed on the myriad of state, federal and international laws that contain privacy provisions, including:

- The Health Insurance Portability and Accountability Act (HIPAA)
- Fair Credit Reporting Act (FCRA)
- Gramm-Leach-Bliley Act (GLBA)
- Children's Online Privacy Protection Act (COPPA)
- The U.S.-EU Privacy Shield Framework and other laws that govern the transmission of personal data across international borders.



- EU General Data Protection Regulation (GDPR)

Data Breach Guidance and Response

Digital technology gives your organization the ability to collect and store large amounts of personally identifiable information and other private data, but it can also make you a target for hackers, data miners and government agencies that police data breaches. Our Data Solutions Group has the experience and expertise necessary to help you develop and implement breach notification policies, investigate breaches and respond quickly to the theft or improper release of personal data. We can also help you with insurance issues relating to breaches (e.g., trying to obtain coverage in event of a breach).

Whether a breach involves one individual or more than one million people spread across all 50 states, we have the resources to help you evaluate your legal obligations and, when necessary, provide notification that meets applicable legal requirements.

Information Governance

Records Information Management (RIM)

The key to an effective RIM policy is pinpointing precisely when a document or other piece of information changes from essential to obsolete. Our attorneys understand the federal and state laws that govern record retention timelines and have more than a decade of experience proactively keeping our clients in compliance. Fortune 500 companies, hospitals, manufacturers, financial service providers and other businesses turn to us to create data management policies and schedules as well as to provide training for employees.

Effective RIM policies help organizations curb excessive costs and risks. Here are a few examples of how excess and unnecessary data can restrict an organization:


- Storage costs are relatively low but the exponential increase in the volume of excess data that continues to be stored can lead to millions of dollars in unnecessary expenses.
- Unnecessary data retention is particularly high when a company is involved in litigation; current estimates for eDiscovery costs range from \$5,000 to \$30,000 per gigabyte of data.
- Obsolete, incorrect or trivial information may be used against a company or misinterpreted by a litigant.
- Office workers spend an average of 182 hours each year—that's 7.6 work days—looking for lost emails or other electronic files.

Our proprietary database of thousands of applicable retention requirements allows us to quickly and accurately create custom-tailored

schedules. Whatever your need, we will create and implement a RIM policy that saves money, ensures compliance and reduces risks and costs whether or not litigation is an issue.

Defensible Data Disposition Solutions

Our Data Solutions Group is in a unique position to provide your business with legal advice on what and when data and documents may be disposed of and defend these decisions in court if challenged. We are also committed to the development and application of predictive coding and other advanced technological solutions to maximize cost savings from enforcement of defensible retention policies, while minimizing disruption to business operations.



Organizational data is doubling every 18 months and 50 to 70% of that data is redundant, irrelevant and/or past its retention period.

eDiscovery

Litigation Hold/Preservation

Litigation holds and preservation obligations are becoming increasingly important. While notification and acknowledgement are components of a legal hold, assuring that reasonable and defensible steps have been taken to preserve relevant information is the goal. Our litigation hold system provides web-based creation, management, tracking, reminders and detailed reporting to help you manage the litigation hold process.

Early Case Assessment

In light of the recent amendments to the Federal Rules of Civil Procedure, the initial stages of eDiscovery will increasingly provide opportunities for early case assessment that can result in a

lean, targeted and defensible discovery plan. Our team has extensive experience investigating organizational datasets, identifying potentially relevant data sources and designing the best plan to meet each client's need.

Collection/Processing/Hosting

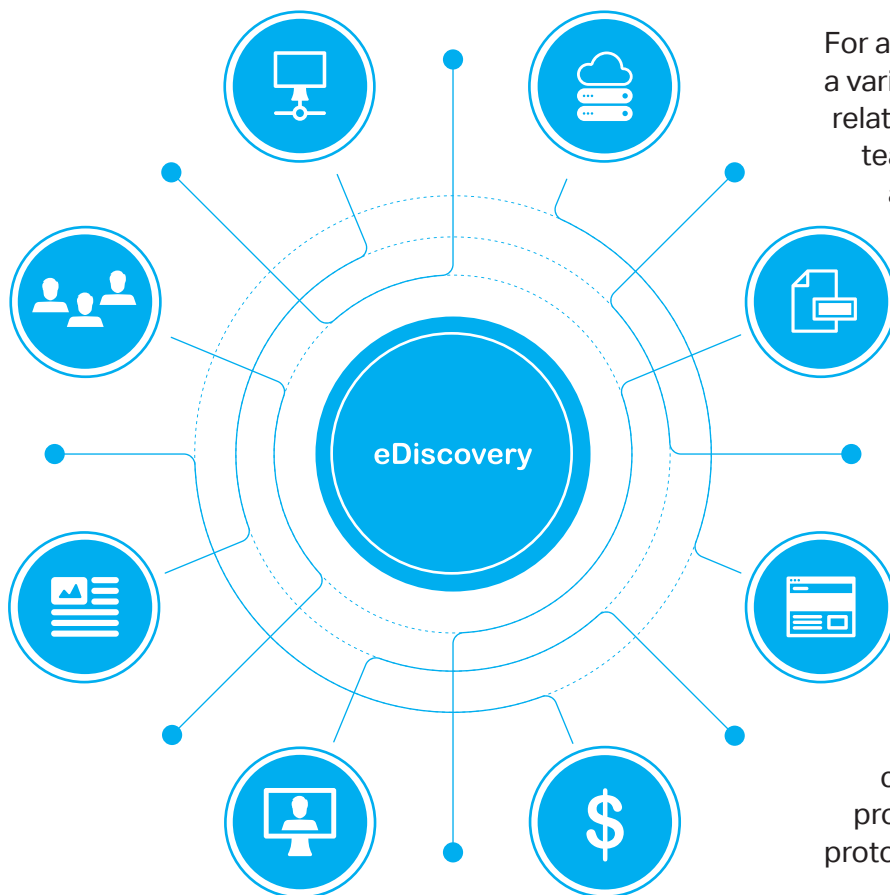
Working with your IT department, we can conduct forensically sound and non-disruptive targeted collections from a variety of data sources, including employees' mobile devices. We then conduct early data analysis to perform an initial cull of the data, so that only potentially relevant information is processed for review using our in-house software tools. We also host the data in-house, eliminating the need to navigate and negotiate with eDiscovery vendors.

Data Analytics

For applicable document collections, we employ a variety of data analytic tools to identify relationships and narrow review populations. Our team has experience with several solutions available through Relativity Analytics and Assisted Review, including complex searching and filtering, clustering, email threading, near-duplicate identification and predictive coding.

Review/Production

We deal with document review and production on a daily basis and handle projects of all types and sizes – including those consisting of millions of documents, highly sensitive issues and tight deadlines. For each project, we conduct an assessment and develop tailored review plans with appropriate and cost-effective staffing designed to meet project goals and deadlines. We implement protocols, quality control processes and maintain



open lines of communication to ensure quality and consistency throughout each project.

We staff review projects with attorneys that have the requisite experience and expertise to address the issues involved, including resolving difficult issues regarding privilege and confidentiality protections. For appropriate review projects, we maintain a state-of-the-art 4,500 square foot Discovery Center with dedicated licensed staff attorneys and eDiscovery specialists, which allows us to keep billing rates lower than most firms while utilizing best-in-class technology.

Project Management/Reporting

Our team employs several attorney project managers with decades of combined project management experience. We will conduct an early case assessment, develop data preservation plans and budgets, leverage data analytics, perform project training and supervision and provide comprehensive reporting on project metrics.

Discovery Coordination Counsel

When faced with complex or multi-state litigation involving several lead trial counsel in different jurisdictions, we have the experience and structure to provide discovery coordination that meets clients' needs. To address these unique demands, we develop repeatable, cost-effective and defensible processes for timely and accurate discovery compliance throughout the United States. Also, as issues and discovery often overlap from one case to the next, the institutional knowledge developed as coordination counsel allows us to locate and produce relevant discovery with consistency and lower cost.

Budgets

A fixed budget can be provided for almost all of the services we provide. For example, for most projects, we are able to offer a fixed annual fee per custodian to preserve, identify, collect, process, host, analyze, review and produce relevant discovery data.

Employee Education and Training

Employee education and training are crucial to controlling records management, discovery and data privacy security risks and costs. We'll help develop policies governing electronic retention and disposition, employee technology and electronic communication, Internet and social media, data privacy and security and formalized legal hold procedures.

We understand that the best policies and procedures are worthless unless employees understand and execute them properly. As a consequence, we'll work with your human resources, IT and legal departments to develop tailored employee education and training.

Compliance Audits and Risk

Assessments

Data life-cycle management encompasses the policies, processes, practices, services and tools used by an organization to manage data through every phase of its existence—from creation to destruction. Often those policies and practices are developed by different groups within an organization and, as a consequence, may be incomplete and/or inconsistent, resulting in unnecessary legal risks. We have substantial experience in performing compliance audits and risk assessments and we'll provide you with recommendations to update and improve your policies and practices.



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By providing discerning and proactive legal advice,
we build a better partnership with clients.

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