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PWC Brazil Case Study

Kiersted Systems Case Studies: Electronic Discovery

When Time Is Tight, Expertise Wins the Day

The electronic discovery vendor's employees threw up their hands and said the job was impossible. It just could not be done in time to meet the deadline set by the Security and Exchange Commission. This left a large international audit firm with just eight days to review their client's 500 gigabytes of data from internal emails, attachments and memos. To compound the problem, these files had to be retrieved from archived tape and disk backup, in many different formats. And the files were in Portuguese. If the files could not be accessed, converted to readable format, swept and reviewed by the SEC deadline, the pharmaceutical client stood to lose billions of dollars.

So the audit firm called in Kiersted Systems. Kiersted, relying on its internally developed electronic discovery technology, took on the challenge. Receiving the files on a Friday, Kiersted customized their native file review system to the job. 750,000 unique files passed through the system, undergoing scans for more than 70 complex search strings such as "audit AND confess OR expose OR cover OR [name] OR [name] OR [acronym] OR [acronym] OR fraud OR plan OR [name] or [name]". (All this in Portuguese, of course.) By the next Monday morning, Kiersted had swept files posted on a secure Internet location for the auditors' review.

"We had to develop our native file review technology in-house," explained André Guilbeau, the Kiersted vice president who supervised the electronic discovery project. "There is no shrink wrapped software on the market that has enough flexibility. You never know what you're going to encounter — who would think to build a system that can handle Portuguese, for instance? And we can customize our system to the exact requirements of the client. They get exactly what they want from the data."

Kiersted's technology was also able to handle the conversion of multiple different formats to a common format that could be easily read and processed. This was a crucial element, because many of the files were unreadable by today's equipment.

Throughout the week, Kiersted added to the swept files. The native file review system was able to reduce the initial haystack of 750,000 files to 65,000 files that had potentially relevant information. The auditing firm set up a team of reviewers located in Brazil who accessed the swept files on the Internet and read them to determine which files had a bearing on the case. Although the auditors worked on old and slow computers, they were

able to complete their review by the SEC deadline, exactly eight days after Kiersted received the files.

“We were working day and night, of course,” said Guilbeau, “but that’s just part of the job. We have a saying around here that *nothing* is impossible.”