

FORTUNE 10

CHALLENGES

- Difficulty handling increasing volume of FCPA investigations with limited resources
- Struggled to identify “nuanced communications” prevalent in FCPA cases
- Under intense commercial pressure to resolve cases within strict deadlines

SOLUTION

- Clearwell E-Discovery Platform for document processing, analysis, and review

BENEFITS

- Resolved cases up to four times faster with no additional resources
- Uncovered critical case facts with advanced analytics
- Achieved positive return on investment in the first case due to resumption of important international business

“By bringing Clearwell in-house our team is now able to do more with less by managing all FCPA cases with a single, easy-to-use solution.”

Director of e-Discovery and Forensics
Fortune 10 Company

Fortune 10 Company streamlines FCPA investigations with Clearwell

OVERVIEW

As a pioneer in emerging markets and an innovator in outsourcing practices, one Fortune 10 Company found itself facing an increasing number of investigations related to the Foreign Corrupt Practices Act (FCPA). With 50% of business conducted internationally and a reputation of operating with the highest integrity, it was imperative that the Company resolve FCPA issues quickly and efficiently.

The Company selected an integrated e-discovery solution from Clearwell, whose easy-to-use analysis tools streamlined their FCPA investigation process. As a result, the Company was able to solve FCPA investigations within extremely tight deadlines and allow the important resumption of international business.

BUSINESS CHALLENGES

With increasing FCPA investigations to as many as two new investigations per month, the Company’s e-discovery team was quickly reaching maximum capacity given its existing resources.

Since the Company lacked an e-discovery solution that helped investigators resolve FCPA cases in a timelier manner, the limited resources and strict deadlines were having a significant commercial impact. Business transactions were often stalled, dependent on the outcome of a particular FCPA anti-bribery inquiry. With the complexity of today’s communication

mediums and transaction types, it has become extremely difficult to identify how bribes are suggested, accepted, and transacted upon. FCPA investigations are particularly difficult since most suspects typically use nuanced communications in different languages to disguise the malfeasance.

In one matter, the Company was operating under a seven day deadline to analyze over 150 GBs and resolve an FCPA inquiry tied to a critical \$150 million business contract.

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E-DISCOVERY SOLUTION

The Company decided that they needed a solution that would help them quickly react to commercial timelines and offer advanced analysis and review of complex data sets. After testing several solutions, they deployed the Clearwell E-Discovery Platform, allowing investigators and lawyers to begin analyzing and reviewing data fast. The Company has subsequently been able to solve more cases in less time, utilize advanced analysis and review techniques to quickly find the answers they need, and easily leverage other groups inside the company to assist in investigations.

In order to resolve matters more rapidly, the investigations team needed a stable and rapid processing solution to gain access to case facts almost immediately. With Clearwell, they can now easily load and configure cases of any size and have data available for analysis and review within hours. “With Clearwell we can process collected data ‘lightning fast’ and do so without IT involvement,” the e-discovery director said.

Investigations under FCPA require correlation between email in different languages, travel records, financial transactions, and employee declarations. Clearwell’s

capabilities extend beyond search with advanced analysis and review features like Discussion Threading, Find Similar, and robust meta-data filtering options. Clearwell complements the advanced users and case type so the investigations team can quickly assess the nature of the case and identify the key players. “Clearwell’s analysis and review features allowed us to cut our workload in half.”

It was imperative that the Company’s lawyers, with little or no knowledge of the technology solution, could access and review data in a manner that complements their expertise. Clearwell’s intuitive interface allows individual users to rapidly adopt the solution with little to no training.

In this particular case, the rapid adoption of Clearwell transcended geographic and language barriers. The director of e-discovery needed to quickly train Chinese counsel, even though he didn’t speak Chinese and the attorney didn’t speak English. With Clearwell’s intuitive interface and workflow, all it took was a 10-minute instructional session before the attorney was finding answers on his own.

BUSINESS BENEFITS

By using Clearwell, the Company was able to solve this FCPA case under the tight deadline with the same number of resources—enabling the resumption of business while preserving the integrity of the Company’s international operations. “By bringing Clearwell in-house, [the e-discovery] team is now able to do more with less by managing all FCPA cases with a single, easy-to-use solution.”

Utilizing Clearwell’s advanced analytics, the Company’s legal team can rapidly assess case facts, correlate data with other business records, and identify the relevant information despite language complexity and nuanced communication associated with FCPA bribery cases.

The Company is confident that the e-discovery team can support the continuity of international business with Clearwell’s E-Discovery Platform. Clearwell helps ensure that commercial and legal interests move forward with integrity because “without Clearwell, many of these cases would not be solved.”

To learn how Clearwell can deliver value to your organization, contact an e-discovery expert at: info@clearwellsystems.com, or call us at: 877.727.9909.



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