

**Best Practices to
Collect from MS Teams
in an Effective,
Defensible and
Proportional Manner**



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Any statement made by today's panelists should not be construed as providing legal advice, and all opinions expressed are their own in their individual capacity. They do not represent their entities.

Our Panelists



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Agenda

- Case Law Update
- General Challenges and Best Practices for MS 365 Collections
- Efficiency, Defensibility and Proportionality
- Optimizing the eDiscovery Process with Technology
- Key Points and Takeaways
- Q&A



Lubrizol Corp. v. IBM Corp., (N.D. Ohio May 15, 2023)

- eDiscovery dispute over production of Slack and Teams data.
- Plaintiff initially demanded that IBM produce the full Slack channel containing at least one responsive message. Court discusses proportionality.
- Dispute over if single message or a full channel is a “document” under FRCP 34.
- Court order: “IBM to produce: (1) the entirety of any Slack conversation containing 20 or fewer total messages that has at least one responsive message; and (2) the 10 messages preceding or following any responsive Slack message in a Slack channel containing more than 20 total messages. Within 28 days, Lubrizol shall do the same with respect to its Microsoft Teams messages.”





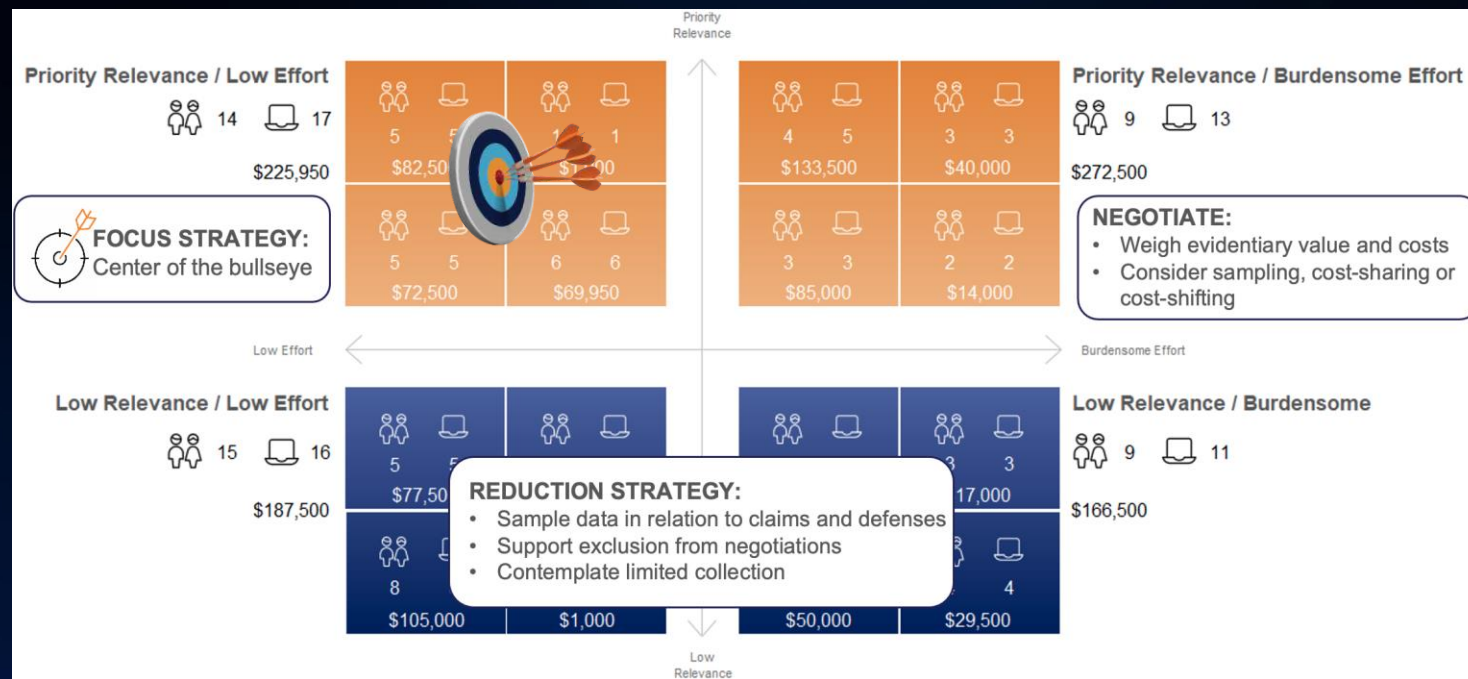
General Challenges with MS 365 Collections

- Bulk Export of All Data Out of MS 365 Required
- Very High Processing / Hosting Costs
- Very Time Consuming
- Throttling Issues
- Security and Data Governance Challenges From Bulk Export to Vendor Tools
- No Delta Collections

MS Teams Collections: 5 Major Challenges

- Overcollection: Need the ability to target individual custodians and specific threads vs. mass download of channels
- Need unified search and collection of Teams, OneDrive, SharePoint, Mail, laptops, File-shares, etc.
- Index, search and process in-place without reliance on Purview / Premium processing
- Automated formatting, one-click upload into Relativity or other review platform
- True automated product, not a services-based offering





Collecting Efficiently, Defensibly, and Proportionally: Early Case Strategy

- Evaluate custodians and data sources in first 100 days to develop early case strategy
- Identify patterns with custodians and data sources pre-collection to understand the story the data tells
- Organize relevance and burden metrics in a heat map to develop discovery strategy



Collecting Efficiently, Defensibly, and Proportionally: Search Science

- Optimize search strategy to improve retrieval rates, recall and precision
- Perform iterative search and sampling to hone accuracy prior to collection
- Leverage federated search across multiple data sources
- Provide defensibility through zero defect testing
- Execute delta collections easily

Collecting Efficiently, Defensibly, and Proportionally: Post-Collection Benefits

- Holistic strategy reduces the volume of data moving downstream to the more expensive and time-consuming phases of discovery
- Timeline from collection to review is dramatically shortened
- Eases complexity of rendering data to review platforms in a usable format
- Reduces costs and risks significantly
- Technology innovation is critical to handle the evolving complexities with emerging data sources including Teams



Demonstration



Questions



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