



Trial Preparation: Producing Exhibits from ESI

When referencing the EDRM model of eDiscovery, much of the emphasis is on the left hand side of the model and surprisingly little on the production of ESI for trial.

As many case teams know, trial can be the most stressful time of a case. But the weeks leading up to the trial are no less busy as the entire team is caught in a maelstrom of activity and preparation. Creating a coherent case strategy while working with multiple internal teams and communicating with the client leaves little time for other assignments.

Further complicating matters is the need to coordinate with outside support teams to prepare exhibits, last minute documentation, and presentation materials such as exhibit boards. Streamlining partnerships to find a single partner support firm can be a daunting but

rewarding task.

When looking for a trial support team, there are several categories to be careful to watch for. Working with an experienced partner can be essential; as the format of trial exhibits and production guidelines can be the difference between admittance and non-admittance, having a partner who understands custom court specifications is key. And in a period when not only accuracy but every second matters, a partner who can draw on personal experience and knowledge of court needs is in the best position to respond to requests quickly and accurately.

It is also important to look for a team that can turn on a dime. More specifically, investigate whether the partner has the capabilities to fully support rush requests. In many cases, trial exhibits which are updated

nightly are needed early the next morning. Partners should be able to handle rush turn around requests, including printing and assembly per custom specifications. And as exhibits increasingly depend on electronically stored information for rush production, technological savvy also becomes a vital trait. Selected electronic documents may need to be turned into compelling exhibits at a moment's notice.

Last but not least, binders and exhibits need to be delivered to the trial team and/or court room and so having a litigation support partner with a presence within easy reach of the trial location and able to offer pickup and delivery services is a distinct advantage.

Adding Meta Data to Web Pages

Metadata is generally defined as 'data about data'. In the e-Discovery world, we currently mine metadata from file, document and email properties. This month, however, metadata moved to Web pages when Google announced the introduction of 'Rich Snippets' to their search engine functionality. A typical web page often specifies broad document object categories like 'heading'. This determines how that text is displayed but not what it means.

```
<div>
<h2>My Document Title</h2>
<h3>My Name</h3>
...
</div>
```

Tagging with metadata, however, enables significant content to be identified so that search engines such as Google can interpret its meaning. For example, using RDFa, the HTML above would be tagged as:

```
<div xmlns:dc="http://purl.org/dc/
elements/1.1/">
  <h2 property="dc:title">My Document
  Title</h2>
  <h3 property="dc:creator">My Name</
  h3>
  ...
</div>
```

Indicating that the first heading is a document title and the second, the name of the author.

Rich snippets is seen as a potential turning point for the Semantic Web, since, for the first time, there is a powerful economic motivation for semantic markup. Google has said that that rich snippets significantly enhance click-through rates, increasing the likelihood of microformats/RDFa markup being adopted by web publishers and advertisers seeking to enrich their Google listings. This in turn means that going forward, it is probable that eDiscovery solution providers will need to capture and utilize this information.