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eThemis, Inc. Legal and IT eDiscovery Strategists

Real World eDiscovery Process and Technology Experience



Themis (Greek: Θέμις) is an ancient Greek Titan and is described as “of good counsel”, and is the embodiment of divine order, law, and custom.

Who is eThemis?

The eThemis, Inc. strategists have firsthand experience in creating repeatable, defensible in-house eDiscovery solutions. With experiences ranging from managing eDiscovery IT Operations at an F100 company, to designing and implementing enterprise scalable eDiscovery solutions at more than thirty F500 accounts across the United States, eThemis, Inc. provides best practices approaches for both processes and technology.

eThemis, Inc. is built around a former practicing attorney with 8 years of eDiscovery outside vendor and software manufacturer experience and an IT professional with over 14 years in the F100 (four in eDiscovery) finance industry. eThemis, Inc. has the enterprise skill set to work with your Legal and IT departments, drafting eDiscovery requirements, and matching eDiscovery tools to best fit your organizations’ infrastructure while fulfilling business objectives.

Client Testimonial

“This initiative was extremely difficult with a large project team compromised of both business and IT members. Matt Miller and Dan Loper... were instrumental in working with the various teams and implementing the eDiscovery solution on-time and within budget.”

— F50 eDiscovery Lead

eDiscovery is all about a repeatable, defensible process. Being able to properly document and execute the eDiscovery process the same way each time is key to a company’s defensibility, regardless of the technology used. It is the synchronizing of the process with the tools used that makes for a successful eDiscovery process.

Where does your eDiscovery posture stand?

- Can your organization easily identify, preserve and collect all potentially relevant user created data from desktops/laptops, FileShares, SharePoint, eMail, content management, mail archives, back-up tapes or other unstructured data sources?
- Does your organization have a documented, repeatable and defensible process for eDiscovery?
- Do your legal hold policies, data destruction, and records management policies work in unison, and in a repeatable and defensible manner?
- Is your organization optimizing its storage infrastructure to support eDiscovery and Archiving efforts?

Improve your posture by:

1. **Mitigating Risks** by having documented, defensible, and repeatable processes that consistently meet the business, regulatory, and legal needs of the organization
2. **Minimizing Costs** by streamlining workflow and reducing upstream costs on collection and preservation, while improving downstream results during attorney review (less documents mean less billable legal hours)
3. **Gaining Control** by ensuring complete network and system accessibility for identification and preservation of data

"Solving Process and Technology Challenges"

How does eThemis provide value?

- **eDiscovery Litigation Response** – A tactical engagement assessing the Strengths, Weaknesses, Opportunities and Threats (SWOT) of the Client's current state and abilities to respond to a current legal matter. The goal of the Litigation Response is to provide the Client with an actionable go-forward strategy to meet Legal's requirements. (Typical duration 2–3 weeks)
- **eDiscovery Readiness Assessment** – A strategic engagement assessing the Client's current eDiscovery posture. The overall goal of the Readiness Assessment is to provide a gap analysis of the Client's current policies and processes benchmarked against industry best practices. eThemis experts utilize Six Sigma methodologies to understand your ability to fulfill Legal eDiscovery requirements. The Readiness Assessment provides an eDiscovery maturity model in order to reduce future legal expenses and improve existing processes and technology. (Typical duration 4–8 weeks)
- **eDiscovery Process Optimization & Development** – An engagement analyzing one or more existing eDiscovery processes against industry best practices and providing recommendations for process optimization and development strategy. The overall goal of this service is to enhance an existing process(es) within the Client's overall eDiscovery program.
 - o **eDiscovery Program Charter Development** – Engagement working with the Client in developing an eDiscovery Program Charter that satisfies the requirements of Legal as defined in the Electronic Discovery Reference Model (EDRM, www.edrm.net) in order to mitigate risk, manage costs, and gain control.
 - o **eDiscovery Systems Data Map Development** – Engagement working with the Client to create a systems data map repository, purposed for Legal, that identifies Information Systems, Business Owner and Records classifications used in the identification of Electronically Stored Information (ESI) for Legal Hold.
 - o **Tape Remediation** – Engagement working with the Client's storage team to understand current backup policy and tape remediation policies. The overall goal of this service is to provide a documented process to protect the organization from legal risk.
- **eDiscovery Technology Selection / POC** – Engagement to assist Clients in selecting an enterprise-scalable eDiscovery tool set that meets Legal and internal infrastructure requirements for the collection of ESI in adherence with the Federal Rules Civil Procedure (FRCP). The overall goal is to select a technology solution that follows the EDRM framework, in order to manage risk, provide cost reductions, and maintain control over eDiscovery data. (Typical duration 4–8 weeks)



Recognized eDiscovery Expertise

"Many of the best known names in EDD were there, including... U.S. Magistrate Judge Andrew Peck... George Socha, Tom Gelbmann... Patrick Oot... Matt Miller... what a fine line up of suspects it was."

—Craig Ball, <http://www.eddupdate.com/2010/05/ceic-a-smash.html>

Meet the Co-Founders



Matthew L. Miller, Esq.'s unique perspective provides an unbiased best practices approach towards eDiscovery and Information Management processes. For the past eight years, Mr. Miller has enabled his clients to mitigate risk and lower costs by improving eDiscovery processes, while conserving valuable resources.

Prior to Co-Founding eThemis, Inc. as a Legal eDiscovery Strategist, Mr. Miller was Business Development Manager for Forsythe Technology's Information Governance & eDiscovery Practice; managing the top 10 Gartner-rated eDiscovery technologies and supporting over thirty successful F500 engagements across the United States. Prior to Forsythe, Mr. Miller was the Product Manager for EnCase eDiscovery and EnCase Legal Hold at Guidance Software, Inc. in Pasadena, CA. Prior to this; he was an eDiscovery Business Manager at Guidance Software in NYC.

Before software consulting, Mr. Miller practiced construction law at Peckar & Abramson, PC in New Jersey and later became a consultant to the AmLaw 200 while at OnSite eDiscovery in NYC. Mr. Miller is a frequent speaker at industry events, such as: ISACA, ISSA, CEIC, IQPC, and informational webinars. Mr. Miller received his BS from Syracuse University Whitman School of Management, Dual Major Entrepreneurship and Marketing, and his JD from Hofstra University School of Law. Mr. Miller is admitted to practice in New Jersey.



Daniel J. Loper has a combined 14 years experience working with IT applications, software, hardware and networking. Mr. Loper received his Master of Science in Information Systems from Southern New Hampshire University.

Prior to Co-Founding eThemis, Inc. as an IT eDiscovery Strategist, Mr. Loper was the Principal Consultant, for Forsythe Technology's Information Governance & eDiscovery Practice; delivering \$13M in savings in his first engagement. Prior to Forsythe, Mr. Loper was the eDiscovery IT Portfolio Manager, at Liberty Mutual Group in Boston, MA. Mr. Loper was responsible for managing eDiscovery IT operations supporting ESI collections in an enterprise environment containing 75,000+ desktop/laptops, 1,800+ servers, in 700+ locations, across multiple lines of business. Mr. Loper supervised eDiscovery requirements for the Liberty Mutual/SafeCo M&A. He successfully implemented a Matter Repository solution in a WebTop environment that enabled both internal and outside Counsel and Paralegals to review Litigation Hold ESI in a Matter Centric view.

Mr. Loper is also an experienced forensic examiner, obtained the EnCE Certification, and holds the Six Sigma Green Belt Certification, Project Management Certificate from George Washington University. Mr. Loper is also certified in EMC SourceOne Kazeon and NetWitness, and is a veteran of the US Marine Corps.