

Dispute Resolution Timeline.

Phase	What you will be doing	How intelligent litigation management helps
Dispute arises	<p>Understanding how dispute arose</p> <p>Understanding strengths and weaknesses of your position</p> <p>Considering size of dispute and relationships involved</p> <p>Considering appointing counsel</p>	<p>Meet to discuss your goals – confidentiality, business cycle, preservation of relationships</p> <p>Early factual investigation, meeting relevant personnel, collecting and analysing relevant documentation, drafting report for management / legal team identifying key strengths and weaknesses</p> <p>Creating decision tree to assess benefits of ADR vs. formal dispute resolution</p> <p>Considering whether counsel are needed for early assessment of legal position or for ADR and, if so, identifying suitable candidates and agreeing fee structure</p> <p>Considering early capture, organisation and analysis of relevant documentation</p>



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ADR	<p>Putting together a strategy for negotiations, mediation, expert determination or other ADR process</p> <p>Preparation for ADR</p> <p>Securing settlement</p>	<p>Clarifying the parameters of an acceptable settlement – ADR decision tree</p> <p>Preparing relevant personnel for attendance at negotiations e.g. role play</p> <p>Assisting in the preparation of any formal submissions needed to brief e.g. mediator or subject matter expert, with counsel if necessary</p> <p>Assisting with documentation of any settlement reached</p> <p>Assisting with implementation of settlement internally</p> <p>Advising on how to avoid similar disputes going forward</p>



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Formal litigation process begins	<ul style="list-style-type: none">Choosing CounselPreparing Written SubmissionsInternal / external reportingIdentifying and interviewing witnessesChoosing eDisclosure provider	<ul style="list-style-type: none">Soliciting RFP from suitable counsel, organising and attending beauty parades, ensuring suitable team composition and negotiating a competitive fee structureEnsuring that information flows to counsel as efficiently as possible to enable timely preparation of written submissionsAssisting with the preparation of any internal or expert reports required, pulling together relevant information for that purposeMeeting with witnesses, explaining process, establishing good working relationships, interviewing them and capturing informationIdentifying and meeting suitable eDisclosure providers, providing point of liaison within client, negotiating a competitive fee structurePutting in place a system for the capture and analysis of documentation



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During dispute resolution process	<p>Monitoring legal budget and counsel workproduct</p> <p>Witness preparation</p> <p>Complying with disclosure obligations</p>	<p>Review of counsel invoices to ensure that work is being done to budget and adds value, negotiating appropriate adjustments</p> <p>Review of counsel work product to ensure that legal strategy is appropriate and is understood by client team</p> <p>Ongoing hand-holding of witnesses and preparation towards evidence giving at trial</p> <p>Acting as point of contact for eDisclosure provider, ensuring deadlines met and work is being done to budget</p>



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Trial phase	<p>Deciding on strategy with counsel</p> <p>Managing information flow internally</p> <p>Managing witnesses</p> <p>Management of budget and dealing with insurers</p>	<p>Ensuring there is an agreed, appropriate strategy for trial with counsel and that the client understands the pros and cons of the same</p> <p>Ongoing review of counsel work product and invoices for quality and value</p> <p>Assisting with witness preparation for trial – meeting witnesses to run through their evidence and the strengths and weaknesses of the same</p> <p>Ensuring timely information flows between counsel and client as necessary</p> <p>Continuing point of liaison for eDisclosure provider</p>



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Post trial	<p>Understanding and complying with any decision issued</p> <p>Ongoing internal and external reporting obligations</p> <p>Settling final invoices and dealing with insurers</p>	<p>Assisting client to understand the implications of any decision issued e.g. ensuring that payments for damages and costs are received as quickly as possible</p> <p>Capturing any “learnings” from the process and any decision and advising on how to avoid similar disputes going forward</p> <p>Ongoing review of counsel work product and invoices for quality and value</p>