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Erin McDonough
Partner

OTMK Law Firm

Background

Construction Litigation can often involve a large number of documents and encompass a multitude of industry-specific issues such as construction defects, bonding, and indemnity, surety, subrogation, and insurance claims, good faith coverage determinations, workmanship, design, mechanics liens, Daubert challenges, and foreign-language documents.

Construction law and defects cases are also known for having a multitude of parties with complex interconnecting relationships, leading to multi-party mediations, arbitrations, and litigation. These can include owners, contractors, subcontractors, architects, engineers, experts, sureties, insurance companies, lessors, lessees, and others.

Document types can be complex too. For example, electronically stored information (ESI) in construction-related disputes often include Auto-CAD and other computer-assisted design files (including DWG, DXF) that can frustrate and slow document review.

The OTMK law firm was founded in 2015 to cater to the specific needs of the construction industry. OTMK has worked on a broad range of projects that include commercial and industrial buildings, schools, residential developments, hospitals, highways, bridges, power plants, pipelines, restoration projects, and wastewater treatment plants and provides a variety of services at all stages of construction including pre-construction, during construction, and following construction, as well as providing alternative dispute resolution.

Case Situation

For a firm just starting up, making a big upfront investment for a document solution was a concern for OTMK. “When we formed OTMK, like any law firm starting up, we were very sensitive to heavy cost outlays, yet we knew we needed a robust eDiscovery platform.” said Erin McDonough, OTMK partner.

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**Result:**

As a new firm, OTMK could provide their attorneys with the scalable, easy-to-use, eDiscovery solution they needed to manage document-heavy construction litigation cases, without a large upfront technology and staff investment.

Solution

Lexbe provided OTMK with the cloud-based eDiscovery platform and services required to manage all of their heavy document management and review needs.

“We decided to go with a cloud-based solution from the start because we realized it was more flexible and didn’t need an upfront technology investment or internal staff to support.” said Erin, “After looking at several software options we chose the Lexbe platform because it was capable of handling high volume document processing while providing the document review features we needed, all at an affordable price.” The Lexbe platform allowed OTMK to scale their review needs (and cost) as their caseloads increased avoiding the need for a large upfront investment in software and technology. OTMK also appreciated the flexibility of a cloud-based system with an easy-to-use browser based interface, allowing everyone in the firm to securely access documents from any location, at any time.

Construction firms also appreciate Lexbe’s UberIndex, which comprehensively includes processed and extracted versions from every document into a single highly-accurate, comprehensive and easy-to-use litigation search index. This includes troublesome documents like Auto-CAD files that can be unsearchable in many other eDiscovery and litigation document management solutions. The Lexbe UberIndex can also add English language translation of foreign language documents, common now in many large construction cases with international parties.

OTMK has also been pleased with Lexbe’s service and support. “We know we can always pick up the phone and get same day support without investing a large amount of time,” said Erin, “That’s critical when you are involved in a case with tight deadlines.”

OTMK foresees additional benefits on future cases where they will need to share documents with co-counsel. By using Lexbe they can easily share documents across a single system improving collaboration and saving valuable time.

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