

# Second Request Expertise

Proven Second Request experience to deliver on time – and in budget.

- ▶ Extensive experience responding to Second Requests with experts who can handle highly sensitive data collection needs
- ▶ Patent-pending tools to work with challenging and proprietary file types
- ▶ Deep expertise in applying analytics to improve targeting and reduce costs from a highly-skilled review management team
- ▶ Technical innovations that enable high-speed processing and review of extremely large and complicated data sets



DISCOVER THE  
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Merger and acquisition activity is demanding for any organization. And when the Federal Trade Commission and the Antitrust Division of the Justice Department request “additional information and documentary material relevant to the proposed acquisition” – or Second Request – to ensure that there is no violation of federal antitrust laws, the stakes get even higher.

## Proven Second Request Expertise

**127** Second Request Engagements 2018-2023

**23** Second Request Engagements in 2023 alone

**20**

FTC Second Requests  
2018 - 2023

**16**

DOJ Second Requests  
2018 - 2023

**30**

Confidential / Unidentified  
Second Requests  
2018 - 2023

**230+**

Second Requests  
Completed Since 2008

**100**

Of the AmLaw 100  
as clients

**400M+**

Second Request  
Documents Reviewed

**2,700+**

Total Hours of **Technology  
Assisted Review (TAR) / AI**  
Applied to Second Request / CIDs

## Specialized Processes and Handling of Second Request Matters

Second Requests require extensive resources to collect, process and produce all the relevant documents for deal approval. Consilio has proven expertise in assisting clients and counsels through many of the complexities of this often challenging process:

- **Scope mandated by the government with no meet and confer**  
Government agencies expect you to know your own data so, failure to produce appropriately can lead to penalties and can threaten the deal.
- **Extremely broad with very short timelines**  
A Second Request will often involve large volume productions of documents collected from numerous custodians related to financial, product and manufacturing details, industry participants and competitors, business plans, strategies, sales data, and other information related to the merger or acquisition. That means accessing a seemingly insurmountable amount of documentation in an apparently inadequate amount of time.
- **Complex mix of sensitive documents**  
A Second Request usually involves complex financial documents, as well as highly technical and sensitive information found across multiple platforms, and in multiple formats.
- **Global nature of many acquisitions**  
Large deals – over \$1B in value – account for nearly 70% of all Second Requests, and often include global activity requiring the review and production of native language content, and a clear understanding of country-specific data privacy regulations.
- **Analytics increasingly accepted**  
Early Case Assessment (ECA) and Technology Assisted Review (TAR) to reduce document volumes and time to respond are becoming the norm for antitrust agencies, provided defined guidelines are followed and documented for defensibility.



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Second Requests place extreme demands on systems and resources. Consilio has proven processes, technology and expert guides to make sure you meet your second request obligations.

Second Requests deal with the most sensitive and proprietary information in your company.

You need a partner that's serious about security. That's the Consilio Difference.

### Data Center Certifications

Facilities are ISO 27001/SAS 70 and/or Type 2/SSAE 16 certified and protected by 24/7 security.

### Encryption

All data in motion, whether physical or virtual, is fully encrypted using SSL.

### Physical and Electronic Security

Multiple layers of physical security— including guards, cameras and biometrics— restrict access to our facilities.

- Network perimeter controls identify and prevent network intrusion.
- Regular third-party penetration testing.

#### CASE STUDY:

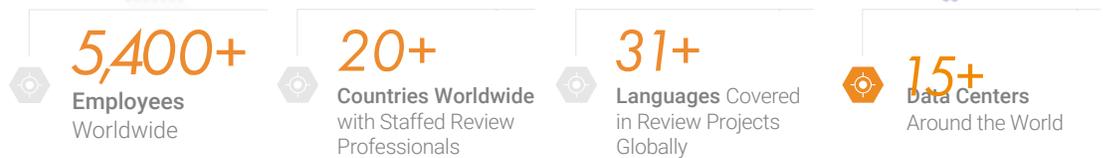
### High Stakes Second Request

A large telecommunications corporation involved in a merger investigation needed document collection, processing, hosting, review and production services for a large-scale and high-stakes Second Request antitrust matter.

Working under a tight staffing and production deadline, Consilio immediately began collection and processing of the documents for review. In parallel, the project managers quickly staffed up with an initial 75-member high-quality review team who worked seamlessly in conjunction with two separate outside counsel law firms. Due to the volume of documents involved in second request matters, Consilio was asked to assign another 25 attorneys to meet production demand. The nearly 100 reviewers worked as a team to deftly and deliberately review the documents and meet the aggressive deadline.

Following the two-month review and Consilio's successful production of documents, the need for an additional quick-turnaround production required immediately bringing back 40 of the original team's review attorneys. This review team worked for seven straight days to ensure that all deadlines were successfully met on time and budget.

### Global Reach, Local Expertise



### Consilio Security Certifications

Our complete suite of eDiscovery solutions is physically located in certified and secure data centers.

- ISO/IEC 27001:2013 certified
- ISO/IEC 27701:2019 certified
- HITRUST certified (CSF V9.3)
- ITAR compliant
- SOC2 Type 1 compliant (with audit report)
- Cyber Essentials Plus certified
- GDPR compliant
- CCPA compliant
- Compliant with EU-US and Swiss-US
- Privacy Shield principles\*

Inquire with your Consilio client relationship manager or contact us for more information on certifications.

Ready to Learn More?

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