

Speaking Engagements | November 14, 2024

Harnessing Technology in Litigation: Insights from Troutman Pepper eMerge

Energy Law Insights

SPEAKERS

[Jim Calvert](#) | [Steven J. Hewitson](#)

Join Steve Hewitson, Partner, and Jim Calvert, Principal at Troutman Pepper eMerge, as they explore the transformative role of technology in complex regulatory proceedings and litigation. This insightful discussion covers the benefits of streamlined processes and centralized data management, as well as the exciting developments involving AI. Learn how innovative solutions are building trust, enhancing efficiency, and fostering better outcomes.

1. Technology's role in litigation

How eMerge's combination of experience and technologies can reduce friction and build trust with the requesting parties during the discovery process.

2. Streamlining transactions with technology

How centralized data management can increase efficiencies and accuracy throughout key transactions, such as mergers.

3. Technological Innovations and AI

How the advancements in AI technology are enabling attorneys to focus on big-picture thinking and high level strategy.

The energy sector is currently undergoing seismic change and with that change comes tremendous opportunity. Our energy video series, which features nationally recognized Troutman Pepper partners as they discuss a vast array of unique and complex challenges that face the energy industry.

Transcript

Title: Harnessing Technology in Litigation: Insights from Troutman Pepper eMerge

Speakers: Jim Calvert and Steve Hewitson

Steve Hewitson (00:07):

Jim, I'm glad I ran into you today. I really wanted to thank you and your team for the great work you did on that last large regulatory proceeding. I wish there was some way we could tell everyone about the great work you guys do supporting not just traditional litigation.

Jim Calvert (00:21):

Thank you, Steve. We really appreciated that opportunity to help that client out. I think those opportunities are ones we really look forward to, because so much of our work is in supporting litigation discovery that a lot of clients don't realize transfers really well to helping in the regulatory context.

Steve Hewitson (00:40):

Yeah, and we're a different animal than traditional litigation where it's A versus B. We have multiple different parties that we have to manage. The ability you guys had of setting up different data rooms for different parties and having different access levels was really, really helpful.

Jim Calvert (00:57):

I'm glad you brought that up, because I think one of the things we excel in that transfers most to any of our clients is our ability to help disparate groups of stakeholders accomplish what they need to within the context of a large project.

Steve Hewitson (01:09):

Yeah, and as you know, in this last one we had varying levels of knowledge of the technology, and it was really good to just get you guys on the phone with them and to be able to explain the different capabilities and things you could do in a way that they understood. It was more about the technology, not somebody trying to hide the ball on them, which in my business, a lot of times, there is a trust factor in my practice. Having that trust is very beneficial in a large proceeding like we just had.

Jim Calvert (01:40):

That's something where in litigation discovery, we may be a little bit ahead of that curve, because oftentimes if we're dealing with symmetrical discovery, we're working with parties who have the experience to have worked through some of that fear, which I think comes from a very natural place. In the instance you're talking about, I think it was just helping to educate the recipient of that information on what our processes are. Of course, so much of our day-to-day is just helping to explain what these really sophisticated technologies are doing and how they will help not only keep costs down for our clients, but also make the process more efficient for everybody, including the requesting parties.

Steve Hewitson (02:20):

Yeah, and I work with a lot of sophisticated clients, but the technology moves so quickly that they don't always keep up with it. So it's great to have an organization in-house that keeps up with it, so that even if they're not taking advantage of our technological capabilities, we can help educate them and move them in the direction they want to go.

Jim Calvert (02:42):

And I think that's one of the things we've really focused on — that combination of not just the technology, but also the people and processes. By our experience in doing that internally as part of our own organization, it's something we've really found ourselves able to consult with our clients on and help them as they implement their own processes and procedures, even if we may not be helping with the technical aspect of it.

Steve Hewitson (03:07):

Yeah, and having people who have been with your organization for a number of years — they learn about the cases, they learn about our practices, and they learn about the key issues, and they're actually able to provide value in those instances. I've found that very helpful as well.

Jim Calvert (03:22):

Yeah, one of my favorite experiences doing that — and you might remember — we worked on a large merger that had several different wings of requests, and one of the aspects of that project was seeing all these requests from different agencies and just having to digest that and help keep a centralized project focus on it. I think it's that type of work that myself and others on our team really appreciate, because that's how we really learn about what the central issues are with any of our clients in any type of matter. What we bring to the table on those is that we are experienced with moving and keeping track of that many moving pieces, whether it's a substantive request or a piece of client data that needs to move through the collection and production pipeline.

Steve Hewitson (04:10):

Yeah, and in the regulatory world, we've found that there are maybe subsets of documents that are necessary for a regulatory proceeding, and maybe that spawns litigation or spawns a different regulatory proceeding. Traditionally, what I've found clients doing is setting up different organizations or different segments — data rooms, if you will — to handle each of those different matters. One thing you guys were able to help us with is consolidating all of that in one place and then just being able to segregate them as needed for the different matters. That saves a ton of money for the client, which is great, but it also saves a lot of headaches and it's very efficient.

Jim Calvert (04:52):

Yeah, I think one of the ways we're able to do that is by having somebody — in this case, us — looking at it from just a slight remove. Somebody that doesn't have the immediate need that the various stakeholders might have can look and see where there are similarities and help identify efficiencies between those various working groups within a large matter. At the same time, making sure that we are being very mindful of who can see what and what the appropriate security precautions, confidentiality, and those sorts of things are — which, of course, going back to our experience in doing discovery and litigation, is something that our technology and our people are very adept at.

Steve Hewitson (05:34):

And when you're working in those matters where there are a bunch of different groups that you have to service or a bunch of different counterparties on the other side, are there any technological innovations or advancements that are helping you guys?

Jim Calvert (05:49):

Yeah, this particular time in the history of doing this — which I've been doing for a while — is very exciting, because with all the generative AI technology that's in this space right now, it's really helping us, particularly with tasks of categorization and identifying things. I mentioned the example of the different requests coming from different agencies. Finding those similarities where before it might take an attorney or a group of attorneys being really mindful and looking for those similarities and matching them up — right now the technology is really able to help do a lot of that legwork. That allows people on my team, and also the main attorneys representing the client, to push some of that identification and categorization down the chain and really focus on the higher levels of representation.

Steve Hewitson (06:46):

That's super exciting. That's going to be something to look forward to in the future — how we practice law and how we integrate that technology into the practice of law and the service of our clients.

Jim Calvert (06:59):

Yeah, absolutely. It's something we've worked on — a lot of pilots with different AI technology. We've been using AI in various forms for a decade, but in the last year, particularly looking at the different pilots we're doing, it's very exciting — both for the results we're already seeing, but also just starting to try to get a picture of broadening our imaginations so that we can see where that might go in the future.

Steve Hewitson (07:24):

Well, that's awesome. I look forward to that. I'm really glad I ran into you today. I am glad we had this chat.

Jim Calvert (07:30):

Yeah, absolutely. It's great running into you, always. I look forward to our next opportunity to help out our energy clients.

Steve Hewitson (07:36):

Cool, man. Thanks.

Jim Calvert (07:38):

Thank you.

Copyright, Troutman Pepper Locke LLP. These recorded materials are designed for educational purposes only. This video is not legal advice and does not create an attorney-client relationship. The views and opinions expressed in this podcast are solely those of the individual participants. Troutman does not make any representations or warranties, express or implied, regarding the contents of this podcast. Information on previous case results does not guarantee a similar future result. Users of this video may save and use the video only for personal or other non-commercial, educational purposes. No other use, including, without limitation, reproduction, retransmission or editing of this video may be made without the prior written permission of Troutman Pepper Locke. If you have any questions, please contact us at troutman.com.

DISCLAIMER: This transcript was generated using artificial intelligence technology and may contain inaccuracies or errors. The transcript is provided "as is," with no warranty as to the accuracy or reliability. Please listen to the video for complete and accurate content. You may [contact us](#) to ask questions or to provide feedback if you believe that something is inaccurately transcribed.

RELATED INDUSTRIES + PRACTICES

- [Artificial Intelligence](#)
- [Energy](#)
- [Energy Storage](#)
- [Energy Tax](#)
- [Inflation Reduction Act of 2022 – Energy Industry Implications](#)
- [Renewable Energy](#)

- eDiscovery + Data Management