

## Zurich North America's eDiscovery services: Help in today's litigious world

More than ever before, customers are facing challenging litigation. Along with lawsuits, they must also manage the complexities and financial burdens associated with electronic discovery (eDiscovery), an intricate web of information that must be collected, processed, reviewed and produced. Handling and managing this process can be expensive and burdensome, but it is typically unavoidable, regardless of whether the case settles or goes to trial.

In practice, eDiscovery has several ramifications that may impact your organization, including your E&O coverage. In the event that eDiscovery is improperly handled, these ramifications can not only damage your organization's reputation but may greatly affect your bottom line. The importance of a good eDiscovery process may help minimize the negative financial impact that eDiscovery can cause to an organization. Based upon a recent case study, an organization was able to reduce their eDiscovery costs by 60% due to an effective and well designed eDiscovery process<sup>1</sup>.

Zurich eDiscovery services, our newest offering to qualified customers of our Zurich Pro Plus<sup>®</sup> liability insurance product, can help in today's litigious world. The available services can prove to be vital in helping to manage the possible scrutiny and most importantly, the costs of eDiscovery.

With Zurich eDiscovery services, "E-Discovery Defense Costs" remain covered "Defense Costs" for covered claims.

However, it doesn't end there. For those qualified policyholders who choose to engage ACT Litigation Services, Inc., a third party vendor<sup>2</sup>, the endorsement contains a number of policy enhancements that can help qualified customers reduce their litigation costs and help fund the cost of eDiscovery through<sup>3</sup>:

- A separate **additional** limit of liability of up to \$100,000<sup>2</sup> **with no retention** specifically for "E-Discovery Defense Costs" incurred by the insured in connection with covered claims and privacy related regulatory proceedings
- Qualifying insureds receive eDiscovery readiness consulting services from ACT at no additional cost
- Customers may directly engage ACT Litigation Services at the Zurich-negotiated rates for any eDiscovery matter
- Comprehensive reports and metrics provided at no additional cost throughout the project

<sup>1</sup> Source: ACT Litigation Services, Inc. Based on a September 2008 case study.

<sup>2</sup> Zurich aligned with ACT Litigation Services, Inc., a third party service provider who has agreed to discount the first \$130,000 of services for Zurich customers by 23 percent. Offer subject to change without notice. The Zurich E-Discovery Endorsement provides a separate limit of \$100,000, with no retention, to provide coverage for this discounted service. Third party service provider may impose additional terms and conditions on this offer.

<sup>3</sup> The terms and conditions of this offer are subject to change without notice. In addition, qualified customers would enter into a direct relationship with ACT Litigation Services, Inc. for these services and such vendor may impose additional terms and conditions on this offer. Gold and Platinum levels based on premium thresholds.

## How do Zurich eDiscovery services work?

Qualified customers who purchase Zurich Pro Plus will be eligible to receive the following ACT services<sup>3</sup> at no additional cost:

- Gold level
  - Pre-claim eDiscovery readiness assessment, which includes the Best Practices Survey
  - Report metrics from completed assessment with recommendations for cost reductions and process improvement
- Platinum level (in addition to the above):
  - Onsite eDiscovery consulting and project management exercise to stress-test existing eDiscovery response policies and procedures
  - Data processing and review of sample data collection

## The many benefits of eDiscovery services to help qualified customers:

- Develop and stress test their eDiscovery response readiness
- Reduce final defense costs and preserve policy limits
- Control expenses within the self-insured retention
- Reduce the chances of liability resulting from eDiscovery mismanagement

These eDiscovery services are available at discounted rates negotiated by Zurich with a pre-approved eDiscovery service provider for the benefit of our customers.

**Here's your bottom line:** Without the adoption of a proven and far-reaching eDiscovery readiness and response strategy, customers may be saddled with exorbitant, policy-eroding fees and increased liability. With our forward-leaning eDiscovery services, you will be better able to defend your litigation cost-effectively, dutifully and strategically.

To learn more about Zurich eDiscovery Solutions, contact your broker or local Zurich office or visit us on the Web at [www.zurichna.com](http://www.zurichna.com).

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This fact sheet is intended as a general description of certain types of insurance and services available to qualified customers through the companies of Zurich in North America. It is not an insurance contract. The insurance policy is the contract that specifically and fully describes coverage. The description of the policy provisions gives a broad overview of coverages and does not revise or amend the policy. We make no guarantee of results and assume no liability in connection with the information, methods or suggestions contained in this fact sheet. Insurance coverages are underwritten by individual member companies of Zurich in North America, including Zurich American Insurance Company. Certain coverages are not available in all states. Some coverages may be written on a nonadmitted basis through licensed surplus lines brokers.

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