



CASE STUDY

# FTI Consulting Leads Massive Internal Documents Inquiry in Multibillion Euro Merger

In an ongoing Phase II merger clearance investigation, FTI's client needed to respond to a Request for Information ('RFI') received from DG Comp that required the identification, preservation, searching, and production of internal documents from thirty-eight employees over three years.

The RFI was received at the height of the COVID-19 lockdown, further complicating the data preservation aspects of this exercise. The FTI team worked closely with our client to overcome this challenge by developing a robust remote collection strategy. This resulted in the preservation of internal documents and e-mails from almost 200 sources, yielding eight terabytes of processed data which was searched to identify 900,000 responsive documents for hand delivery to the European Commission in under a month.

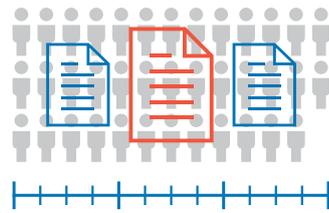
A monumental task that, even under ordinary working and travel conditions, could have taken several months to complete given the requirements to:

- Complete the preservation and extraction of 30 custodians' laptops spread across multiple European countries in under two weeks.
- Develop custom workflows to retrieve metadata information from several emerging data sources to comply with DG Comp's technical production requirements.
- Navigate unexpected challenges, including varying download speeds across the client's servers, and logistical courier issues arising out of COVID-19 limitations.
- Apply a variety of pre-and post-processing filters to defensibly reduce nine million documents to a production set of 900,000 after excluding privileged material.
- Advise counsel on how to respond to DG Comp's technical queries and, in close collaboration with client and counsel, prepare the submission reports detailing the defensible steps taken to comply with the RFI's requirements.
- Hand-deliver five distinct productions from London to Brussels, amid significant travel limitations, due to DG Comp's restrictions on large online transfers.

Where regulators are still expecting companies to produce internal documents under seemingly insurmountable deadlines and without accommodations for COVID-19 home and working travel restrictions, experts who understand how to make each hour count, under significant pressure, are critical to ensuring a successful outcome. With extensive expertise in handling large data volumes, complex data sources, and the technical and procedural requirements of merger clearance investigations in Europe, the United States, and Canada, FTI's Technology team frequently is called upon to act in this capacity as a trusted adviser to counsel and client to get the deal completed.



As part of a multibillion Euro merger, our client faced an **EU Phase II inquiry**



**38 custodians** over a **three year period** within scope of RFI



**9m** internal documents totalling **8 TB** collected from **200** data sources



Hand-delivered **900k** relevant documents to DG Comp **within a month** despite travel restrictions

**CRAIG G EARNSHAW**

craig.earnshaw@fticonsulting.com  
+44 (0) 7894 093 762

**ASHLEY E BRICKLES**

ashley.brickles@fticonsulting.com  
+44 (0) 7976 762 599