Rosenthal & Cohen Discuss Cost-Effectiveness of Predictive Coding eDiscovery Tool with *Law360*

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Winston & Strawn partner and eDiscovery practice chair John Rosenthal and Scott Cohen, director of eDiscovery support services, were quoted in the *Law360* article, "E-Discovery Tool Relieves But Doesn't End Doc Review Burden," published April 16, 2014. The article discusses the cost-effectiveness of the automated eDiscovery tool known as predictive coding.

Specifically, while a recent Winston study found predictive coding software is both more effective and takes roughly one-fifth the amount of time to analyze data sets compared to human reviewers, Mr. Rosenthal warned enthusiasts that the technology may not provide the desired cost savings.

"The idea that you have to be using predictive coding because it's always substantially better than a human review is simply not accurate," Mr. Rosenthal said.

That's not to say that the use of predictive coding isn't a more cost-effective alternative to a manual review; Rosenthal said the use of predictive coding can save between 30 and 35 percent.

"What these people are doing is running around saying, 'It's the greatest thing ever, it has an 80 percent cost saving, you need to do this, and you're crazy if you're not using it,'" he said. "Our view is it's a good tool, a powerful tool, and it will save money, but the costs savings are not going to be 80 percent."

Mr. Cohen mentioned that lawyers interested in predicting coding will want to team with an experienced vendor that can lead the technology side.

"The back end of this thing is not for the faint of heart," he said.

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