

## John Rosenthal Discusses the Business of E-Discovery with *The American Lawyer*

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Partner John Rosenthal, chair of [Winston & Strawn's eDiscovery & Information Governance Practice](#), is quoted in "[How a Few Savvy Law Firms Turned E-Discovery Into a Cash Cow](#)," published in *The American Lawyer* on November 27.

The article focuses on the strategic foresight of a few law firms, including Winston, when at the height of the financial crisis they bet on the future profitability of e-discovery work. At the time, most of Big Law had given up that revenue to alternative legal service providers.

Firms are realizing that there is a need to own the discovery at each stage of the electronic discovery reference model. John notes that while the "the per-document price of e-discovery has declined...the volume of documents makes it hard to control overall costs," adding that "reducing that expense requires analysis by e-discovery lawyers, on the front end and throughout the process."

John was hired in 2008 to create "a full-service e-discovery vendor inside the firm's own firewall," he says, enabling Winston to retain revenue from existing clients and create a new revenue stream as well. "It makes sense both from a financial standpoint, from a cost savings to your clients standpoint and giving you capabilities other firms don't have," he explains. "Law firms are risk adverse, though. To go to your management team and say, 'I need a few million dollars to build this out and I have to create a staff of dozens,' I give credit to [Winston chair] Tom Fitzgerald."

With a group currently comprised of 24 technologists, two data storage centers, and two review centers in New York and Washington, D.C., John tells *The American Lawyer* that the firm's e-discovery revenue has grown by double-digits. In fact, he attributes winning what will likely turn into a multimillion-dollar engagement to the existence of Winston's e-discovery practice: "When you walk into a pitch for litigation, most firms can't say, 'And the single-largest cost component, we can handle in-house with our staff, and here's the budget.'"

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John Rosenthal



Thomas P. Fitzgerald