ECA Flow Chart

Case/Matter Identification & Alert to In-House Counsel
Description/Stage of Development/Contractual Requirements/Counsel & Team Identity

In-House Counsel Assigns Duties and Time Frame to Complete ECA Process

Informal Fact Development: Internal Interviews, Internal Documents, Witnesses, Opposing Counsel Contacts, Unknowns, Others, Our Views

Business Concern Analysis: Company Concerns & Priorities, Opponent's Likely Concerns/Priorities

Legal Analysis: Claims & Defenses, Damages

Forum & Adversary Analysis: Forum, Opposing Counsel & Parties

Risk Management Analysis: Legal Hold Issurance, Insurance

Cost/Benefit Analysis: Define Business Success, Assess Disposition Strategies & Costs, Recommended Strategy & Settlement Value

Settlement Path Analysis

Going Forward Strategy: Determine Settlement or Litigation Strategy, Execute Executive Summary, Secure Resolution Authority

Unanticipated Events: Do developments warrant review of appropriate analysis factors or strategy?

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Post-Resolution Loop-Back Process *(Prevention)*
Assemble team to access lessons learned to consider changes to policies/processes to prevent recurrence.

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