



**Litigation Support Strategies: Thinking “Outside the Box”
by Doreen James Wise, CEO**

MRC is committed to assisting clients in finding creative, cost effective and successful ways of accomplishing their litigation support objectives. Industry experts state that the litigation support “spend” can equal as much as 40% of the litigation budget; the purchase of medical records, development of work product, court reporting and expert witness services adds up!

MRC advocates addressing the challenges of mass tort with some “outside the box” thinking for record retrieval, review and access. We urge our clients to consider a different way of organizing the litigation. Instead of “business as usual,” i.e. ordering and fully reviewing all plaintiffs’ records, try ordering and reviewing progressively in “waves”.

In an alternative litigation support world, MRC advocates a more “progressive” approach. With the approval of our clients, MRC may order only critical records for all plaintiffs in a first wave, then apply a nurse Triage™ to extract essential data. Nurses consult with counsel on key science elements to the case, then tactically review early records received to select “key plaintiffs”. The Triage™ offers counsel a heightened ability to position plaintiffs in concert with the litigation team’s legal strategy, i.e. differentiating plaintiffs from the mass based on key litigation criteria. Then, in a second wave, in-depth record retrieval and detailed nurse review focus on only key plaintiffs.

In one recent actual scenario, MRC demonstrated to clients willing to implement the “wave” approach that they could reduce their litigation support spend by 62%!

In the interest of cost-savings, MRC also recommends two methods for sharing costs with other litigants: one for sharing record costs and nurse review with other co-defendants, and a second for sharing record costs with the plaintiff

As judges direct all parties to share medical evidence in litigation, opportunities arise to save costs as well. Cost sharing with fellow defendants for medical record retrieval is a logical step and further reduces wasted effort, time and associated costs by literally having all parties “on

Copyright MRC 2008

www.mrchouston.com

the same page". According to MRC's calculations for an average litigation, simply by sharing with one other co-defendant for record retrieval and review, parties may realize an additional \$1000 savings per plaintiff.

MRC makes the commitment to share costs with co-defendants as effortless as possible; records can be ordered through MRC's secure retail site, www.MRCrecords.com, or if lead counsel so approve, co-counsel may be granted limited access to use MRC's WiseFiles repository for records and/or work product.

To further reduce costs and increase efficiencies, MRC offers record retrieval cost sharing with the plaintiff. Plaintiffs' counsel of record are granted secure access to MRC's retail site www.MRCrecords.com. Approved plaintiffs' attorneys may view a list of records available for their clients, place and track their record orders from this site. Rebates may be secured by MRC's defense clients, further reducing costs for the litigation. In a common example, if defense counsel opts to cost share record retrieval with the plaintiff, record costs may be reduced to \$450.

MRC welcomes the chance to collaborate with counsel to approach the inevitable litigation in fresh, creative and cost reducing ways. For further information, please contact Vicki Davis, MRC's Account Manager at 832-526-5561 or toll free at 888-868-6769, and visit www.mrchouston.com.

Copyright MRC 2008

www.mrchouston.com