

TRILANTIC

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Chris Dale Lawyer Support
Comment on eDisclosure and other IT matters

Business and pleasure mix at Trilantic party

To Broadgate last night for Trilantic's last *Third Thursday* party, although by the time I got home it felt as if it had been last Thursday's third party. Nigel Murray's parties tend to leave one feeling as if one has been drinking and eating well all day.

Murray has the knack also of giving the impression that everyone but everyone was there, although the head-count was relatively small – "exclusive" is the word, I think. Last night's group included a mix of users, suppliers and consultants, lawyers and litigation support managers, a trio of grizzled [LiST Group](#) heavyweights and a chap just appointed to his first litigation support post.

The latter discovered that, however slow the lawyers might have been to grasp the benefits of Woolf's idea of co-operative litigation, the litigation support professionals have long done so, with offers of help and support from those with whom he may soon be exchanging Disclosure data. There may be some self-interest in this – "If a phone call in advance means I get the data in the form I want it, it is worth having a call first" I overheard someone say to him – but that is mutual interest as well, and it is the litigation which benefits from it.

Why is there not more formal co-operation between parties in the preparation of Disclosure data? I don't just mean at the level (important though that is) envisaged by LiST's Data Exchange Protocol, but at an earlier stage? There must be many cases where the parties might agree right at the outset that they will appoint a single neutral service provider or consultant to do the lot, or at least the documents in common between the parties, to weed out the duplicates and deliver the same data to both sides. It would not work for every case, but could save costs in the right case. According to Nigel Murray, this is only really happening at the trial presentation stage so far – Trilantic is doing this for the 21/7 trial at the moment

It was not all drinking and eating. I heard a snatch of an animated discussion about possible convergence of the UK and US disclosure rules in, say, ten years time, with the differing costs regimes as the main point of difference between

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them. There was industry gossip – who has bought which software supplier?, which firm has just placed an order for what application? – and plenty of non-attributable, non-repeatable stuff which was found lodged in my brain's recesses this morning, where it will stay.

Trilantic has been giving these parties for ever (actually, Trilantic has only existed for two years, but it seems like for ever). I asked Nigel Murray why this was billed as the “last” of his Third Thursday parties. It is time for a new format, he said, not the end of Trilantic's parties. All ideas, he added, are welcomed.

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