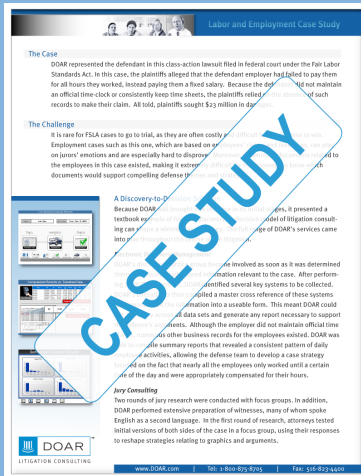




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TO REVIEW A COMPREHENSIVE
CASE STUDY

PLEASE CLICK HERE

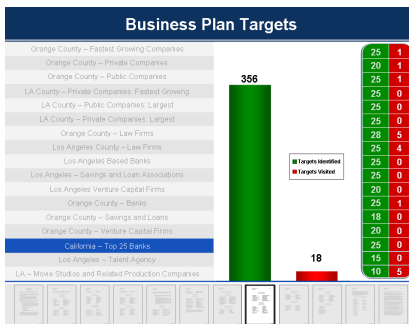


A Selection of DOAR's
Employment Case Experience:

- *Mendoza et al. v Delgado*
- *Romano v New York Presbyterian Hospital*
- *Carco Group, Inc. v Drew Maconachy*
- *NYS Judicial Pay Raise*
- *Javits Center Class Action*
- *Marubeni Arbitration*
- *O'Meally Arbitration*
- *Espinal v Ramco General Stores*

IN EMPLOYMENT LITIGATION, WHEN DOCUMENTS
ARE EXTENSIVE, VISUALS ARE ESSENTIAL

The declining economy has led to a rash of corporate downsizing and, as a result, we have seen a surge in labor and employment cases. DOAR has been involved in a variety of such cases, ranging from wages and hours claims filed under federal and state labor laws to contractual disputes to constitutional matters. Our employment matters span an extraordinary scope of issues and industries, yet we have noted that there is a common element at the core: the documents that tell the story, such as attendance records, email chains and salary data.



DOAR has turned this observation into a visual strategy that has helped lead several of our labor and employment clients to recent victories. This strategy is founded on a discovery-to-decision model that builds case themes and persuasive, multimedia visuals in tandem with ongoing discovery and data

management. Our graphics and discovery consultants work together to find and summarize the thousands or even millions of documents that support an employment case. These document summaries are then developed into powerful trial demonstratives that communicate and support case themes, yielding positive outcomes for our clients.

Below are some recent observations about how we have been able to achieve success for our clients in document-intensive employment litigation:

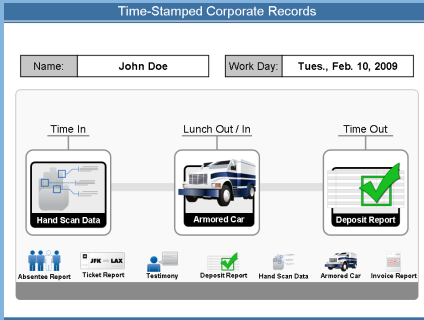
1. Starting Early Is Key

In employment matters, it is essential to involve the discovery team from the start, as it is frequently not known which documents – or even which databases – will ultimately be relevant. DOAR's discovery consultants help clients determine which documents support the case by creating a discovery plan that locates relevant data and employee records, organizes them, and makes them searchable. In addition, where voluminous employment records are involved,



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SAMPLE GRAPHICS

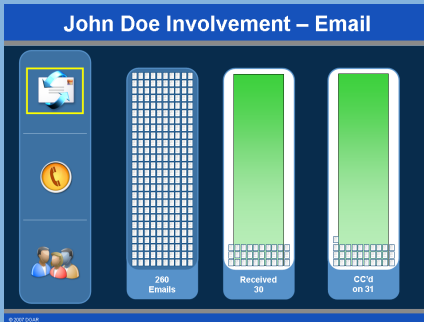


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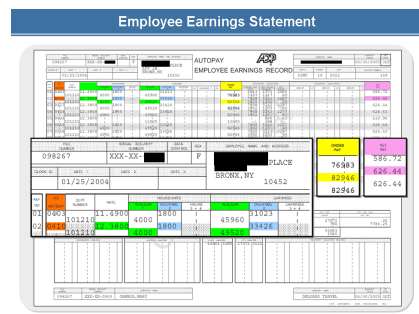
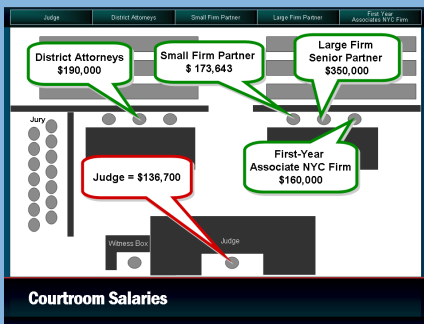
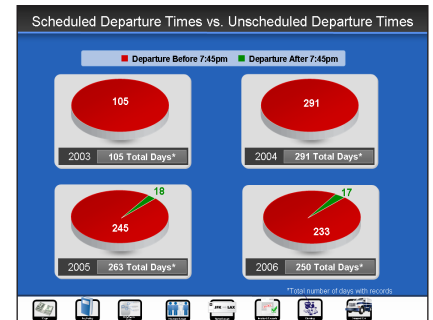
DOAR’s discovery and data management experts are able to develop summary reports that can reveal new patterns within existing data, helping clients further develop and refine case themes.

2. When Documents Are Extensive, Visuals Are Essential

To create an effective and visual strategy in document-intensive labor and employment cases, DOAR’s analytical graphics consultants work closely with the discovery team. As data summaries yield themes and patterns, graphics experts begin putting together multimedia demonstratives that effectively communicate both the “big picture” and the nature of the individual documents that will tell the client’s story at trial.



For example, in a recent class action in which the plaintiffs alleged their employer had failed to pay them for the hours they worked, the key argument for our client, the defendant, was that “employees were always paid for the work they performed.” Since the employer failed to keep regular timesheets, however, the defense had to rely on millions of pages of business records tracking the day-to-day activities of each employee, which threatened to overwhelm both the jury and the trial team. The



solution was a visual strategy based on data and document summaries. The graphics that represented this data became the centerpiece of the case, condensing voluminous documents into a concise presentation that showed the plaintiffs generally worked a fixed schedule and were compensated for

additional hours. Other graphics educated the jury on company practices such as payroll processes, time keeping methods and organizational structure.



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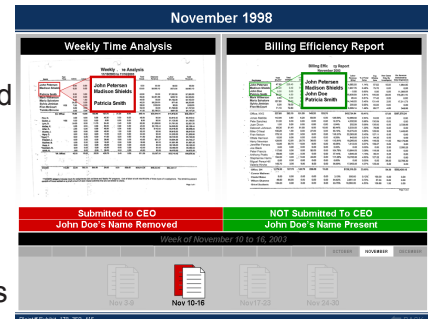
800-875-8705

170 Earle Avenue
Lynbrook, NY 11563
info@DOAR.com

IN EMPLOYMENT LITIGATION, WHEN DOCUMENTS ARE EXTENSIVE, VISUALS ARE ESSENTIAL

High-impact demonstratives based on document summaries in other cases include

- Interactive calendar graphics that condensed and highlighted weekly examples of payroll fraud over a four year period.
- A suite of visuals relating to trends and patterns in salary data for New York State judges and other employees over the past century
- Graphics using color-coded icons to represent different types of business records



3. Themes, Documents and Graphics Go Hand in Hand

As voluminous business records are compiled into data summaries, new visual and narrative strategies frequently emerge. These, in turn, can help direct and refine future rounds of data collection. In addition, jury testing of themes, graphics and exhibits can be very helpful in focusing and reshaping visual and narrative strategies. Close collaboration between clients and consultants in all areas makes for the most effective case presentation, focused on the strongest documents and the most powerful themes and graphics.

4. Multimedia Messaging Works

Using multimedia strategically is essential in employment cases. Computer graphics, deposition video, exhibits and interactive demonstratives such as magnetic boards or “smart” boards can, and frequently should, be used to present complex information and extensive documents, as this is the most effective way to reach and persuade jurors. When a document-intensive employment case is seamlessly presented in a multimedia format by a skilled trial presentation consultant, chances are maximized that jurors will absorb and retain the information they need to reach a favorable verdict.



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170 Earle Avenue
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info@DOAR.com

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By consolidating voluminous documents and making them easily searchable, simplifying complex information through summary graphics and providing seamless trial presentation and technology, DOAR helps our clients achieve success across the full spectrum of employment litigation.

For more information regarding DOAR's approach to managing employment case defense matters, please visit us at www.DOAR.com or call us at 800.875.8705