

## **WHAT WE DO | Civil Litigation and Arbitration Support**

IGI works closely with inside and outside counsel to provide litigation support throughout all stages of a lawsuit or an arbitration: before a complaint is filed, during discovery and trial, in advance of settlement and on appeal. While our fundamental goal is always to uncover and present the client with the objective and unvarnished facts, we pursue that goal in adversarial contexts with an unmatched willingness to fight for our client's objective.

Attorneys may call upon IGI to:

- Profile proposed arbitrators or other ADR “neutrals”
- Investigate parties to a dispute
- Gather and confirm facts to be alleged in a complaint
- Develop facts, either before formal discovery begins or outside the constraints of conventional discovery, to support a litigation strategy
- Perform a pre-litigation asset search to evaluate the likelihood of collecting on a judgment, or locating assets and income that can be seized in satisfaction of a judgment
- Identify, locate, interview and obtain sworn statements from potential witnesses
- Collect evidence using proper procedures, protocols and chain of custody
- Conduct a forensic accounting examination of financial records
- Use computer forensics to, for example, restore deleted e-mails and computer files or to construct a minute-by-minute or keystroke-by-keystroke chronology of a person's computer activity at a crucial time
- Recommend documents to be requested in discovery or questions to be asked in deposition
- Check backgrounds of adversarial expert or fact witnesses for issues that might be used to impeach their credibility or to show bias
- Investigate apparent bias of arbitrators

### **Case Studies**

- We were retained by the attorneys for a media company accused of publishing false allegations regarding a high-profile individual. We conducted extensive public records research, including of state and county level agencies and litigation indices of courts throughout the country, to develop additional information to corroborate the allegations. Our researchers also developed a comprehensive profile of a source for the original story whose credibility had been called into question. In our research phase, we identified individuals relevant to the allegations who we interviewed with the client's authorization.
- IGI assisted a client in litigation against the U.S. government for environmental contamination of the client's property near a biological weapon testing facility. IGI's investigation included research on the government's efforts over many years to identify the contamination's cause and to limit and remediate the damage. Building on public source

research, IGI identified and interviewed individuals with relevant knowledge, including people who lived near the contaminating facility and witnessed improper disposal activities, former government officials involved in the management of the contamination issues, and others who had previously investigated the government's activities in connection with their separate damage issues resulting from the contamination. The results of this investigative work supported the client's pretrial litigation and helped inform strategic case decisions.

- IGI assisted a concert promoter who was a defendant in a wrongful death lawsuit brought by the estate of a high-profile musician, seeking tens of billions of dollars in damages. In support of our client's lawyers preparing for trial, IGI investigators uncovered and reviewed voluminous records, identified and interviewed witnesses, prepared in-depth profiles of dozens of fact and expert witnesses expected to be called by the plaintiffs, and discovered, developed and documented exculpatory facts and issues to be presented to the jury. Our investigative work contributed to our client's victory at trial, where the jury found the client not liable for the musician's death.
- IGI's client filed what was to become a landmark antitrust lawsuit against a competitor that held more than five times our client's market share for a consumer product that both companies sold in grocery and convenience stores nationwide. The complaint accused the defendant of monopolizing the product market by engaging in exclusionary, restrictive and anticompetitive conduct, including through abuse of its category manager position with the retailers. IGI surveillance teams operating around the country captured covert video of the defendant's delivery drivers in the act of discarding, damaging and destroying our client's products, product display racks and in-store point-of-sale advertising. IGI also identified witnesses who testified at trial, including former drivers who admitted to the acts caught on tape and acknowledged acting under orders from company management. On this and other evidence, the jury returned a verdict, fully upheld on appeal, of one of the largest affirmed antitrust judgments ever won. Evidence collected by IGI was credited by the client, and cited in judicial opinions, as having supported the jury's verdict.