



C O M P U T E R F O R E N S I C S L A B

London digital forensics & e-discovery · Established 2007

Technical Preparation for a Disclosure Case Management Conference

Walking In With the Answers

Disclosure for the whole case is designed, priced and ordered in a hearing that may spend twenty minutes on it. The judge decides on what is in front of them, and the party that arrives with the systems summary, the volume funnels, the tested terms, the TAR validation design, the production specification and a numbered list of the genuinely disputed issues supplies the material the order is built from. This guide is the preparation discipline: what to know, what to bring and what to be ready to answer across the seven technical briefing areas, how to present it, and the checklist that turns eighteen guides of method into one good hearing.

⌚ Estimated reading time: 30 min read

§ ABOUT THE AUTHOR

PREPARED BY COMPUTER FORENSICS LAB E-DISCOVERY TEAM

Computer Forensics Lab is a London-based digital forensics and electronic disclosure practice established in 2007. Its eDiscovery arm, **e-discovery.uk**, prepares litigation teams for exactly this hearing: the DRD's technical sections completed on measured evidence, hit reports and funnels formatted for a judge, TAR validation designs that answer scepticism in a sentence, and an examiner or consultant on standby (or in the room) when the technical questions land. Defensibility is built, not retrofitted, and the CMC is where it pays.

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ISO 17025-ALIGNED PROCEDURES

ISO 27001-ALIGNED SECURITY

ACPO / NPCC DIGITAL EVIDENCE PRINCIPLES

PD 57AD / DRD EXPERIENCE

CMC & DGH SUPPORT

FULL CHAIN-OF-CUSTODY DOCUMENTATION

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Executive summary

THE HEADLINE POINT: THE PREPARED PARTY WRITES THE ORDER

A disclosure CMC is short, and the court decides on the material in front of it. The party that files a completed, evidenced DRD, arrives able to answer every technical question with a number, a document or a named reason (what systems exist, what volumes flow through which scenarios, what has been preserved and collected, what the terms hit, how TAR will be validated, how production will work), and reduces the genuinely contested points to a numbered list with both parties' data and a proposed order, supplies the hearing's working material and usually its outcome. Preparation across seven briefing areas is the discipline: systems, volumes, collection progress, search methodology, TAR, formats, and the disputes themselves. Each area in this guide follows the same drill: what to **know**, what to **bring**, and what to **be ready to answer**, because judicial questions at these hearings are predictable, and "I will have to take instructions" is the sound of an order being written by the other side.

- **The DRD is the exam script.** In the Business and Property Courts the completed Disclosure Review Document (issues, Models, and Section 2's technical answers) is what the judge reads first; its quality is the first impression, and its gaps are the questions.
- **One page beats forty.** The single-page technical summary (sources, funnels, progress, disputes) is the most valuable document in the pack: judges absorb it in a minute, and the annexes carry the proof.
- **Disputes are presented, not discovered.** Every unresolved technical issue goes to the court numbered, with each side's evidence, your proposal and the fallback: the anatomy that lets a judge decide in four minutes, and rewards the party that supplied it.
- **The provider is part of the team.** A consultant or examiner briefed for the hearing (on standby by phone, or in attendance for heavy technical disputes) converts "we believe" into "the position is", and is standard practice, not extravagance.
- **The hearing is also a costs event.** Budgets are managed against the same numbers; consistency between DRD, skeleton and Precedent H is checked in real time, and conduct to date (the cooperation ledger) is already in the room.

The problem in plain English: twenty minutes that design a year

The disclosure CMC decides, in one sitting: which issues get which Models, whose custodian list prevails, what terms and ranges will be run, whether TAR is used and how it will be validated, what the production looks like, what it may all cost, and the timetable it must fit. The next twelve months of the case's most expensive phase are designed in less time than a routine witness conference, and the design is built from whatever the parties put in front of the judge.

That creates the asymmetry this guide exploits. Judges at these hearings ask concrete questions: How many documents does that term add? What does the archive cost to restore? Why these nine custodians and not their fourteen? How will you know the review found what it should? One party answers from a table it filed; the other says "substantial", "disproportionate" and "we would need to check". The hearing then proceeds on the first party's figures, the order adopts the first party's structure, and the second party spends the rest of the case inside a scheme it did not design. Nothing about this is rhetorical skill: it is homework, visible from the bench in the first five minutes, and the seven briefing areas that follow are the homework's syllabus.

The legal frame: what the hearing is, and what it expects

- **PD 57AD (Business and Property Courts):** Extended Disclosure is sought and shaped at the CMC on the completed DRD: issues for disclosure and proposed Models exchanged and negotiated in advance, Section 2's data and cost information completed with provider input, and the parties under express duties to cooperate and to seek to resolve DRD disputes before the hearing. The court may give separate guidance at a Disclosure Guidance Hearing where a discrete point needs judicial steer, and paragraph 20's sanctions attach to the whole apparatus.
- **CPR 31 / PD 31B (elsewhere):** the parties must discuss electronic disclosure before the first CMC (sources, tools, keyword strategy, formats), the Electronic Documents Questionnaire may be ordered or volunteered as the structured exchange, and the first CMC is where the reasonable-search bargain of CPR 31.7 is struck.
- **Costs management (CPR 3):** where the CMC is combined with costs management, the disclosure phase of each Precedent H is set against the very scheme being argued; the technical figures and the budget figures must be the same figures.
- **The criminal analogue:** in Crown Court case management, the prosecution's Disclosure Management Document performs the same function (methodology described in advance, engaged with at the hearing), and defence practitioners will recognise every discipline in this guide.
- **The expectation beneath all of it:** the regimes assume parties arrive having exchanged, tested and narrowed. A party using the hearing as the first conversation is already in breach of the spirit and usually the letter, and modern courts say so in costs.

Systems and sources

- **Know:** the client's data landscape as a one-page map: email and collaboration platforms (with tenancy and retention settings), chat and messaging channels in real use, file stores and cloud accounts, key business systems (finance, CRM, quality), devices, backups and archives with their accessibility status, and third-party or provider-held data. Know the retention position of each (what auto-deletes, what has been suspended) and which sources are preserve-only.
- **Bring:** the systems summary (annexed to or consistent with DRD Section 2), the data-map version history if sources were added, and feasibility statements for any source you say is not reasonably accessible.
- **Be ready to answer:** "What messaging did the key individuals actually use?" · "What happened to the leavers' accounts?" · "Why is the archive not being searched, and is it preserved?" · "Who verified this map, and when?" A named examiner or IT witness behind the map is the credibility multiplier.

Volumes

- **Know:** the funnel per scenario: collected (or measured in place), expected expansion, post-deduplication and threading, post-date and term culling, review population, per custodian and per source, in the right units (documents, but chat messages, media hours and database rows counted separately). Know which figures are measured and which are estimated, and the basis of each estimate.
- **Bring:** the funnel table per scenario (yours and, where the opponent's proposals differ, the same funnel run on their scope), reconciled to the DRD's estimates and the budget's assumptions.
- **Be ready to answer:** "How many documents does the difference between the parties actually represent?" · "What does their proposal add, in documents and pounds?" · "How confident are these figures?" The party whose volumes are sampled and stated with their basis owns every quantitative exchange in the room.

Preservation and collection progress

- **Know:** the preservation position source by source (notices issued and acknowledged, auto-deletion suspended and when, leaver processes stopped) and the collection position (what has been collected, by whom, by what method, under what documentation; what is scheduled; what is deliberately not being collected and why). Know the chain-of-custody status of everything taken, and any incidents (a device wiped, a gap discovered) with their remediation.
- **Bring:** the preservation log summary, the collection schedule with dates and methods, and (if any incident must be disclosed) the short factual note with the examiner's statement behind it.
- **Be ready to answer:** "When was deletion suspended, and what happened before that?" · "Why has X not yet been collected, and when will it be?" · "Who performed the collections and to what standard?" Courts forgive gaps that are found, evidenced and remediated; they do not forgive gaps discovered by the other side, which is why this area is reported candidly and first.

Search methodology

- **Know:** the proposed custodian list with tiering and footprint evidence; per-issue date ranges with their pleaded anchors; the term list with hit reports (documents, families, unique hits) and sampled relevance rates; the iteration history with the opponent (what was exchanged, tested, conceded, refused); and the reasoned exclusions (sources and terms parked, with figures).
- **Bring:** the current term list and hit report, the custodian table, the range table, and the correspondence ledger of the negotiation, exhibited compactly.
- **Be ready to answer:** "What does their proposed term add?" (the number, instantly) · "Why not this custodian?" (footprint and overlap) · "Would you accept it date-bounded?" (the pre-agreed fallback positions, because concessions at the hearing should be planned, not improvised). This area wins or loses more disclosure CMCs than any other, and it is won in the weeks before, not the minutes during.

Technology-assisted review

- **Know:** whether and why TAR is proposed (population size, timetable), the workflow in plain terms (continuous active learning prioritising review; who trains it and on what standard), and above all the validation design: the samples that will be run (control, QC, null-set), their sizes, and the statistics that will justify stopping. If TAR is not proposed on a large population, know why not, because the court may ask.
- **Bring:** the one-paragraph methodology description and the validation design (both exchange-ready), any statistics already generated, and the provider's name against them.
- **Be ready to answer:** "How will you know it worked?" (the validation design, in one sentence) · "What does the other side get to see?" (methodology and statistics; not training contents or scores, and the distinction stated calmly) · "What if richness is higher than expected?" (the design adapts; say how). Judicial comfort with TAR is now the norm; what draws scrutiny is not the technology but a party that cannot describe its own quality control.

Production formats

- **Know:** the proposed specification: image and native formats (natives for spreadsheets and media), load files, the metadata field list, family and threading rules, numbering, redaction method (and its metadata treatment), the handling of chat and non-document data, and the clawback and confidentiality arrangements. Know which of it is agreed and which is not.
- **Bring:** the specification as a schedule ready to annex to the order, and (if anything is disputed) the short comparison of the two positions with the cost of each.
- **Be ready to answer:** "Is the specification agreed?" (the ideal answer is one word) · "Why natives / why not?" · "How is chat being produced?" Formats are the area most cheaply agreed in advance and most tediously fought late; arriving with it settled, or reduced to one crisp difference, signals a party the court can trust with the rest.

Unresolved technical issues

- **Know:** the complete list of what is genuinely still in dispute after the pre-hearing cooperation the rules require: typically two to five points (a custodian set, a term family, an archive, a Model for one issue, a format element), each stripped to its increment with both parties' evidence.
- **Bring:** the disputed-issues schedule: for each point, one row: the issue, your position with its figures, their position with theirs (or "unparticularised", accurately), your proposed order wording, and your fallback. File it; it becomes the hearing's agenda and, frequently, the order's skeleton.
- **Be ready to answer:** "What remains between the parties?" (the schedule, handed up) · "What do you say to their point?" (the pre-drafted response, with the number) · "Is there a middle course?" (the fallback, offered as if conceived on the spot). Judges remember the party that shortened the hearing; the schedule is how.

§ 1 1 · LOGISTICS

The pack, the people and the timeline

The pack

- The completed DRD (or EDQ / disclosure proposals outside the B&PCs), verified against the latest data.
- The one-page technical summary: sources, funnel, progress, TAR, formats, disputes; the judge's minute-one document.
- The disputed-issues schedule with proposed order wording per issue.
- Annexes: hit reports, custodian and range tables, feasibility statements, validation design, the production specification, the cooperation ledger.
- The costs budget, reconciled line-for-line with all of the above.

The people

- **Counsel and the conducting solicitor** briefed on every number's provenance: not to recite them, but never to be stranded by a follow-up.
- **The provider consultant or examiner:** on telephone standby as the default; physically in attendance where a heavy technical dispute (accessibility, TAR challenge, alleged spoliation) makes real-time expertise decisive. Agree in advance what they may be asked and by whom.
- **The client's IT owner** reachable during the hearing window for the question nobody predicted.

The timeline

WHEN	DONE
4–6 weeks out	Cooperation exchanges complete or scheduled; terms in final iteration; DRD drafts passing between the parties; provider quotes per scenario refreshed
2 weeks out	DRD substantially agreed except the true disputes; disputed-issues schedule drafted and sent to the other side (it often settles two more points by itself); budget reconciled
1 week out	Filing per the order or PD deadlines; one-page summary finalised; fallback positions decided and recorded privately; provider briefed and standby agreed
Day before	Numbers rehearsal: counsel runs the predictable judicial questions against the team; every figure's source confirmed; the pack's page references memorised
On the day	Provider reachable; the schedule handed up early; concessions made only from the pre-agreed list; the order's technical wording checked before it is sealed, by someone who understands it

Advocacy: presenting technical material to the court

- **Lead with the one-pager, argue from the annexes.** Open the disclosure section by handing the summary up and speaking to it; every subsequent point is "annex 3, second table" rather than a speech.
- **Numbers first, adjectives never.** "Their term adds 214,000 documents at a sampled 1.8 per cent relevance, an estimated £230,000" does in ten seconds what "wholly disproportionate" cannot do in ten minutes, and it survives the follow-up question.
- **Translate, do not simplify falsely:** judges do not need TAR's mathematics, they need its logic ("the system ranks by what senior reviewers code; we prove completeness by sampling what we did not read; here is the sample design"). Rehearse the three-sentence versions of every technical concept in play.
- **Meet adjectives with an offer:** when the opponent asserts burden without figures, the winning response is not indignation but the sampled test: "we have offered to test that source at their initial cost; the offer stands." Courts convert offers into orders.
- **Hand the court the order:** proposed wording per disputed issue, technically precise (the term as it will actually be run, the validation the certificate will actually reference), because orders drafted in the room by generalists create the next hearing.
- **Concede from the list:** the pre-agreed fallback positions are the only concessions made; anything novel is taken away, not granted standing up. Grace on the planned concessions buys the contested ones.

§ 13 · IN THE WILD, AND WHERE IT GOES WRONG

Worked example · Common mistakes and limitations

WORKED EXAMPLE · THE CCMC THAT TOOK ELEVEN MINUTES

A £6m professional negligence claim, combined CCMC. The defendant filed: a one-page technical summary; a DRD with Section 2 completed from measured volumes; a disputed-issues schedule of three points (one custodian, one term family, the claimant's demand for full mailbox restoration of a legacy system) with both parties' figures, proposed wording and fallbacks; and a budget reconciling to the same numbers. The claimant filed proposals describing its own estate as "extensive" and the defendant's approach as "inadequate", with no figures. The judge worked through the schedule: custodian resolved on footprint data (defendant's position), term family resolved on the offered proximity reformulation (the pre-planned fallback, deployed gracefully), restoration resolved as the defendant proposed (preserved, sampled first at claimant's initial cost, trigger defined). Disclosure was dealt with in eleven minutes, the order annexed the defendant's production specification verbatim, budgets were approved on the defendant's phase figures, and the claimant's later attempt to reopen scope was met with its own silence at the CMC. Nothing clever happened in the room; everything had happened in the six weeks before it.

Common mistakes

- **Treating the hearing as the first conversation:** disputes surfacing at the podium that the rules required the parties to attempt before it.
- **The DRD completed by lawyers alone:** Section 2 guessed, then contradicted by the party's own provider figures later.
- **Unreconciled documents:** DRD, skeleton and budget carrying three different volume stories, discovered by the bench in real time.
- **No fallbacks pre-agreed:** concessions improvised standing up, or refused for want of authority, both expensive.
- **The provider unbriefed or unreachable** at the one hearing where a technical answer in ninety seconds changes the order.
- **Winning the argument, losing the wording:** a favourable ruling embodied in order language that does not survive contact with the actual platform; check the draft before sealing, with the person who will implement it.
- **Adjectival advocacy** against a numerate opponent: the mismatch this entire guide exists to prevent.

Technical limitations

- **Numbers age:** figures filed weeks earlier may have moved; know the current position and flag material changes candidly at the outset, before the other side does.
- **Not everything is measurable by the CMC:** where a figure is genuinely an estimate, present it as one with its basis and the date it firms up; false precision is punished harder than honest ranges.
- **The court's time is the constraint:** preparation must compress: a judge will absorb one page and a schedule, not the working papers; depth is for the annexes and the follow-up question.

§ 1 4 · INTERROGATORIES & DRAFTING AIDS

Questions to ask · Suggested wording

Ask your client (pre-hearing)

- Has anything changed in the estate since the data map was verified (new leavers, system migrations, retention changes)?
- Who is the IT owner reachable during the hearing, and do they know it?
- Are you content with the fallback positions we propose to hold in reserve, and the authority to deploy them?

Ask your opponent (pre-hearing)

- Please confirm which DRD sections remain in dispute so the schedule for the court is agreed, or state your position for inclusion.
- Please provide the figures behind your proposals and objections by [date]; absent figures, the schedule will record them as unparticularised.
- Please confirm the production specification, or your amendments, so it can be annexed as agreed.

Ask your eDiscovery / forensic provider

- Verify every number in the DRD, summary and budget against current actuals; flag anything that has moved.
- Draft the three-sentence explanations: our TAR validation, our collection standard, and each feasibility statement.
- Be on standby for the hearing window; what question would you most fear, and what is our answer to it?

SUGGESTED WORDING · SKELETON ARGUMENT PARAGRAPH INTRODUCING THE TECHNICAL POSITION

"The [party]'s disclosure proposals are set out in the DRD and summarised at [tab]. In short: [n] custodians tiered on measured footprints; per-issue date ranges anchored to the pleaded events; [n] search terms tested against the data, with hit reports at [tab]; review by continuous active learning validated by the sampling design at [tab]; and the production specification at [tab], which is agreed [save as to X]. Three issues remain for the court, set out with each party's figures and proposed wording in the schedule at [tab]. The [party]'s figures are measured or sampled save where indicated, and its consultant, [name] of [provider], is available to the court by telephone if any technical question arises."

SUGGESTED WORDING · DRAFT ORDER PARAGRAPH (SEARCH AND VALIDATION, ADAPT)

"Extended Disclosure: (1) The [party] shall conduct its search in accordance with the methodology at Schedule [n]: the custodians and sources at Part A, the date ranges at Part B, and the search terms at Part C as tested in the hit report dated [date]. (2) Review may be conducted using technology-assisted review in accordance with the validation protocol at Part D; the Disclosure Certificate shall exhibit the validation statistics there described. (3) Production shall be in accordance with the specification at Schedule [m], which shall also govern inadvertent disclosure as there provided. (4) The [archived source] shall be preserved but not restored or searched, save that upon [defined trigger] any party may apply on [n] days' notice, the reasonable costs of any sampled restoration to be [basis]. (5) Liberty to apply as to the technical implementation of this order."

§ 15 · QUICK CONTROL

The master checklist · Red flags · When to involve a digital forensic expert

The CMC technical preparation checklist

- **Systems:** one-page verified data map; retention states known; feasibility statements for every "not reasonably accessible" claim
- **Volumes:** funnels per scenario, measured or based-and-stated, in the right units, per custodian and source
- **Progress:** preservation log current; collection schedule with methods and dates; incidents disclosed with remediation evidence
- **Search:** custodian tiers with footprints; anchored ranges; terms with hit reports and sampled rates; iteration ledger exhibited
- **TAR:** methodology paragraph and validation design exchange-ready; statistics to date; the statistics-out, contents-in line prepared
- **Formats:** specification annexed as agreed, or the single difference costed both ways; clawback and confidentiality terms included
- **Disputes:** numbered schedule filed: increment, both parties' figures, proposed wording, fallback per issue
- **Consistency:** DRD, one-pager, skeleton and Precedent H reconciled to identical numbers, checked the week of filing
- **People:** provider briefed and on standby; IT owner reachable; fallback authority confirmed with the client
- **The day:** numbers rehearsal done; schedule handed up early; order wording checked before sealing by its implementer

Red flags

- Any figure in the pack whose provenance nobody in the room can state.
- A Section 2 the provider has never seen.
- Disputes still emerging in the week of the hearing.
- Budget and DRD telling different volume stories.
- "We'll agree formats after the order."
- A TAR proposal whose validation design cannot be stated in one sentence.
- An opponent's schedule arriving and yours not existing.

When to involve a digital forensic expert

For the CMC itself: where accessibility, restoration cost or recovery prospects are in issue, the feasibility statement and, if contested, CPR Part 35 evidence should carry an examiner's name the court can weigh; where preservation incidents must be reported, the examiner's factual statement is what converts a gap into a remediated gap; where the opponent's technical assertions look engineered, an examiner's rapid review grounds

the challenge in the skeleton rather than the cross-fire; and where a heavy technical dispute will be argued live, an examiner in attendance answers in ninety seconds what correspondence could not settle in months. Earlier involvement is the theme of this whole series: by CMC week, the expert's work should be in the pack, not beginning.

§ 16 · COMMON QUESTIONS

Frequently asked questions

Should our eDiscovery provider or examiner actually attend the hearing?

Standby by telephone is the sensible default: cheap, and it covers the unpredictable question. Physical attendance earns its cost where a technical dispute is central (contested accessibility, a TAR challenge, alleged spoliation) or the tribunal has signalled technical interest. Agree in advance with counsel how the consultant is to be used: usually as an instructing resource in the room, with formal evidence, if ever needed, coming later under CPR Part 35 discipline.

What if we genuinely do not have final volumes by the CMC?

Present what is measured, state what is estimated with its basis and the date it firms, and propose the mechanism (a short further exchange, a DGH if needed) rather than a guess. Courts work comfortably with honest ranges tied to a plan; what they punish is false precision, and silence. The one figure never to improvise is a cost: an aged provider quote beats an invented number every time.

The other side keeps adding demands in the final week. How do we handle the ambush?

Respond in writing, fast and flat: each new demand into the disputed-issues schedule with your figures and their (absent) evidence, a note of its timing, and your proposal. The schedule metabolises ambushes: late, unevicenced additions look exactly like what they are once tabulated beside six weeks of your data, and the timing note writes the costs paragraph. What the ambush must not do is stampede a concession the pre-agreed list does not contain.

What is a Disclosure Guidance Hearing, and when do we ask for one?

A short, comparatively informal hearing under PD 57AD for discrete disclosure guidance where the parties are stuck on a specific point (a Model, a term family, a source) that should not wait for, or would swamp, the CMC. Ask for one when a single technical dispute is blocking everything else and both sides' evidence is ready; bring exactly the same discipline (the schedule, the figures, the proposed wording) scaled to one issue.

How does this differ outside the Business and Property Courts, or in criminal proceedings?

The furniture changes, the discipline does not. Under CPR 31 / PD 31B the vehicle is the pre-CMC discussion and, where used, the EDQ, with the reasonable-search bargain struck at the first CMC; in the Crown Court the prosecution's Disclosure Management Document is engaged with at the case management hearing, and defence teams apply the same know / bring / be-ready drill to it. In every forum the constant holds: the tribunal decides on what is in front of it, and preparation is the only reliable way to be the party that put it there.

§ 17 · REFERENCE

Glossary

CCMC

A CMC combined with costs management: the disclosure scheme and its budget set against each other in one hearing.

Disputed-issues schedule

The filed table of remaining disputes: increment, both parties' figures, proposed wording, fallback.

DGH

Disclosure Guidance Hearing: short PD 57AD hearing for a discrete disclosure point.

DMD

Disclosure Management Document: the prosecution's methodology statement in criminal proceedings.

DRD Section 2

The Disclosure Review Document's technical half: sources, volumes, methods and costs, completed with provider input.

EDQ

Electronic Documents Questionnaire (PD 31B): the structured technical exchange outside the B&PCs.

Fallback position

A concession pre-agreed with the client, deployed at the hearing by design rather than improvisation.

Feasibility statement

The engineered account of a difficult source: method, cost, timescale, risks, with an examiner's name on it.

Numbers rehearsal

The pre-hearing run-through of predictable judicial questions against the team's figures and their provenance.

One-page technical summary

The single sheet of sources, funnels, progress and disputes the judge reads first.

Standby

The provider consultant or examiner reachable during the hearing window by prior arrangement.

Validation design

The pre-stated sampling scheme (control, QC, null-set) that will evidence the review's completeness.

Sources and authoritative references

The preparation disciplines in this guide draw on materials published by our e-discovery practice and laboratory, referenced here as sources:

- e-discovery.uk, practice method ("Bring us in early. Defensibility is built, not retrofitted") and the EDRM phase pages behind each briefing area: Identification (data maps and volumes), Processing (terms and hit reports), Review (TAR validation and statistics), Production (specifications): e-discovery.uk · e-discovery.uk/edrm/identification · e-discovery.uk/edrm/review · e-discovery.uk/edrm/production
- e-discovery.uk, Knowledge Centre, including "Writing search terms that survive negotiation": e-discovery.uk/knowledge · e-discovery.uk/expertise
- cflab.uk, digital forensics services (collection standards, feasibility statements, preservation-incident examination and CPR Part 35 evidence) and the lawyer guides library of which this series forms part: cflab.uk/digital-forensics-services · cflab.uk/guides
- Practice Direction 57AD (the CMC process, the DRD, Disclosure Guidance Hearings, sanctions): [justice.gov.uk](https://www.justice.gov.uk/practice-direction-57ad), PD 57AD
- CPR Part 31 and PD 31B (pre-CMC discussions, the EDQ, the reasonable search): [justice.gov.uk](https://www.justice.gov.uk/cpr-part-31), PD 31B
- CPR Part 3 (costs and case management conferences, budgets): [justice.gov.uk](https://www.justice.gov.uk/cpr-part-3), Part 3 · CPR Part 35 (experts): [justice.gov.uk](https://www.justice.gov.uk/cpr-part-35), Part 35
- *McParland & Partners Ltd v Whitehead* [2020] EWHC 298 (Ch) (issues for disclosure; cooperation before the CMC): [bailii.org](https://www.bailii.org/uk/ew/cases/ewhc/2020/298.html) · *Pyrho Investments Ltd v MWB Property Ltd* [2016] EWHC 256 (Ch) (predictive coding described and approved): [bailii.org](https://www.bailii.org/uk/ew/cases/ewhc/2016/256.html)
- Attorney General's Guidelines on Disclosure and the Disclosure Management Document (criminal case management): [gov.uk](https://www.gov.uk/guidance/attorney-general-s-guidelines-on-disclosure-and-the-disclosure-management-document), [AG's Guidelines](https://www.gov.uk/guidance/attorney-general-s-guidelines-on-disclosure-and-the-disclosure-management-document) · ICO, UK GDPR guidance: ico.org.uk

DISCLAIMER

This publication provides general information about technical preparation for disclosure case management hearings in the United Kingdom as at August 2026. The worked example is a fictional illustration and all figures are illustrative. This guide is not legal advice, does not create a professional relationship, and should not be relied upon in place of advice on the facts of a specific matter from a qualified lawyer or a suitably qualified forensic practitioner. Rules and guidance change; always check the current text. Links were live at the date of publication.

§ HOW A SPECIALIST LABORATORY CAN ASSIST

Working with Computer Forensics Lab

CMC preparation is where our two practices meet the courtroom. Through **e-discovery.uk**: DRD Section 2 completed from measured actuals, the one-page technical summary and funnels formatted for the bench, hit reports and iteration ledgers exhibit-ready, TAR validation designs stated in a sentence and defended in a paragraph, production specifications drafted for annexure, and a consultant briefed to counsel's plan on standby or in attendance. Through the laboratory: feasibility statements and preservation-incident evidence carrying an examiner's name, rapid review of an opponent's technical assertions, and CPR Part 35 / CrimPR Part 19 evidence where a dispute has hardened. And because this guide closes the series: the same team supports every stage the other seventeen cover, from the first preservation notice to the last validation sample, on the principle that runs through all of them: decisions made on evidence, recorded as they are made, presentable to a court at any moment. Conflicts checks, confidential scoping discussions and fixed-fee estimates are routine.



I N S T R U C T T H E L A B

Speak to a forensic examiner, not a salesperson.

Describe your matter in confidence and an examiner will respond the same working day. Conflicts checks and scoping calls with US counsel are routine.

NEW ENQUIRIES

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