



NEXTPOINT 2023

ENGAGEMENT LETTER DRAFT

With respect to ediscovery services, the Firm will necessarily utilize certain technologies to competently and efficiently resolve your matter. These technologies may include, but are not limited to, document management systems or software, document and repository search and review applications, and third-party ediscovery or other applications (collectively, the “ediscovery services”). In the course of providing ediscovery services, the Firm may also utilize third-party vendors with technical or other expertise.

Rather than charging you large storage or upload fees, the Firm charges an annual flat “technology” fee per matter based upon the expected scope of the matter and of the related ediscovery services (the “technology fee”). The technology fee varies by matter and may change (increase) over the course of a representation. Before charging an increased technology fee, we will provide you with a letter of explanation, detailing the reasons for the increased technology fee.

Please note, however, the technology fee does not include the fees or costs associated with attorneys’ or staffs’ time. The technology fee does not include the fees or costs associated with subject matter experts or consultants. The technology fee also does not include the fees or costs of large-scale document or discovery projects that fall outside the scope of the Firm’s (or its vendors’) ordinary and customary e-Discovery services. To the extent reasonably practicable, we will advise you regarding the necessity and viability of such projects in advance of incurring additional fees.

Based upon the facts and circumstances known to the Firm at this time, you will be charged an annual technology fee of \$XXXX for the present matter. It is our opinion that this technology fee reasonably and proportionally represents the value of the Firm’s ediscovery services and resources that will be allocated to your matter.