Guidepost

COURTNEY FLETCHER

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OVERVIEW

Courtney H. Fletcher is a nationally recognized technology expert with significant experience including database collections and analysis, eDiscovery, implementing and maintaining cybersecurity programs, software analysis, and performing independent regulatory and compliance assessments. He is responsible for the development and implementation of case and matter strategies that leverage technology to assist corporate and legal clients in matters involving complex technology issues and investigations.

Mr. Fletcher has advised clients in complex litigation and large-scale investigative matters. He has assisted clients in federal, state, and international matters involving securities litigation, breach of contract disputes, intellectual property matters, accounting malpractice, and other corporate investigations. His services cover the data preservation and acquisition through analysis, production, and supporting testimony. Specifically, he has assisted clients with addressing "meet and confer" obligations, providing technical and compliance support to government appointed monitors, intellectual property theft investigation, and advising multinational clients on cross-border discovery conflicts.

Mr. Fletcher has navigated the unique issues facing public and private clients. Most notably, he is currently assisting a government appointed monitor with a technology review to confirm compliance with a final judgement where parties agreed to prompt divestiture of certain assets, data, and information; assisted a government contractor with an internal investigation by analyzing big data and leveraging behavioral analytics to identify patterns and irregularities to isolate potential fraud within the organization; a joint defense team representing former directors and officers (D&O's) of a global financial derivatives broker against the bankruptcy trustee who was seeking to shut down and liquidate systems that contain potentially relevant information to the D&O's defense related to the bankruptcy; the Chief Litigation Counsel for a large multi-national company to perform an eDiscovery Health Check; and, a pharmaceutical

company with developing an operational integration playbook that incorporates repeatable processes and workflows to use during a merger, acquisition, or divesture.

SOLUTIONS

Monitorships
Risk + Compliance
Financial Crime Consulting
Investigations + Business Intelligence
Banking + Financial Monitorships
Corporate Investigations
Litigation Support
Due Diligence + Business Intelligence
Cybersecurity Consulting
Emerging Issues + Technology
Forensic Accounting
AI Risk Management

EXPERIENCE

- Retained by defense counsel to provide discovery services related to a Federal Trade Commission (FTC) litigation into an alleged false marketing scheme where hidden fees were charged to customers. Our team identified, acquired, consolidated, analyzed, and produced to FTC over 6 billion records and multiple terabytes of data from current and legacy financial systems.
- Currently assisting Monitoring Trustee with technology review to confirm compliance with a final judgement where parties agreed to prompt divestiture of certain assets, data, and information.
- Assisting Federal Monitor with the development of a centralized data repository, customized technology solutions, and providing comprehensive reporting to support monitorship.
- Assisted counsel and claims administrator with developing a strategy to potentially identify potential survivors of a proposed class action settlement related to litigation against a higher education institution. Specifically, our role was to interview IT business owners and identify all relevant historical and current systems and create a centralize repository for analysis.
- Retained by joint defense team representing former directors and officers (D&O's) of a global financial derivatives broker against the bankruptcy trustee who was seeking to shut down and liquidate systems that contain potentially relevant information to the D&O's defense related to the bankruptcy. We reviewed relevant systems and documentation, met with trustee's counsel and IT consultants, performed mapping analysis, aided in the responses and updates to trustee and Court regarding the systems, and helped prepare deposition outline and topics.
- Retained by the Chief Litigation Counsel for a large multi-national company to perform an eDiscovery Health Check that focused on assessing overall eDiscovery environment, interviewing key stakeholders and relevant documentation, and creating recommendations for remediation of identified areas of concern.
- Retained by a pharmaceutical to act as an IT expert to evaluate, review and confirm destruction of documents in possession of client's prior eDiscovery vendor. Responsibilities included providing written and oral testimony. In supporting my client's Application to modify a Variation of the Freezing Injunction, the Court relied heavily on proffered expert testimony that selected devices within the facility needed to be properly deleted or wiped.
- Retained by counsel to provide technical support of opposing 30(b)(6) witness (Chief Information Officer) in a large class action against a consumer-packaged goods company. Specifically, we were asked to assist in preparing the outline, topics and attending the deposition.
- Assisted a healthcare company with developing a business intelligence solution that included the

- implementation of corporate dashboards that boosted efficiency and expanded insight into the existing data they were already managing.
- Assisted counsel and subject matter experts who were conducting a forensic and due diligence review of Mortgage-Backed Securities (MBS) and their underlying assets. Our team developed a custom application that allowed 20+ underwriters to evaluate over 1,500 loans and perform an in-depth loan and pool level analysis to determine the validity of the loans prior to the contract execution, as well as whether a breach of a representation or warrant occurred. This custom application led to increased efficiencies and improved quality of output providing real time feedback for ongoing monitoring and evaluation of results.
- Assisted a large pharmaceutical with developing an operational integration playbook that incorporate repeatable processes and workflows to use during a merger, acquisition, or divesture.
- Assisted an organization with conducting an internal investigation to determine if an employee in their Information Technology practice was inappropriately reading and disseminating executive emails.
- Retained by counsel to review potential infringement of intellectual property. My team reviewed existing applications, available documentation, filed patents, and prepared an initial report outlining our findings.
- Assisted counsel with reviewing random sample of documents from repository and providing suggested search terms to optimize document review and production.
- Retained by counsel to assist in the defensible collection and preservation of computers and paper documents related to an on-going investigation by a state's Attorney General.
- Retained by counsel to prepare an expert report and provide expert testimony on the searchability of OCR related to production of documents to third-party defendants. My team manually reviewed a random sample of produced documents, generated a table containing data statistics on overall condition of document and identification of key terms, and calculated the recall and precision values to measure information retrieval effectiveness. In denying opposing party's motion to compel, the Court relied heavily on proffered expert testimony that client's document production was sufficiently searchable and functional.
- Retained by counsel to assist them with their e-discovery efforts including assistance with drafting litigation response plans and discovery requests, interviewing relevant business owners, documenting IT infrastructure and development of corporate data map. His team collected over 20 terabytes of data across several custodians, corporate systems, and international locations. Also, Mr. Fletcher was requested to act as a 30(b)(6) witness on behalf of the defendant.
- Assisted Plan Administrator with the transfer of all relevant electronic and hard copy records from Debtors and transforming the raw data from decommissioned systems (accounting and enterprise resource planning systems) into a useable format. Also, responsibilities included verifying the integrity and completeness of data extracted, and the creation of various analyses and reconstructed reports used by the Administrator in pursuit of various actions.
- Retained by client to provide its Board of Directors an independent and tailored IT assessment that provided summary on current state of the department. Our team conducted interviews with business owners and IT staff that focused on the following areas: organization, budget, benchmarking, service, and governance. Our assessment provided the Board with recommendations and strategies to consider implementing.
- Retained by the Unsecured Creditors Committee ("UCC") to act as interim Chief Information Officer for a specialty pharmaceutical company. Responsibilities included addressing short-term operational problems within department, identifying and mitigating overall IT risk, evaluating compliance of Service Level Agreements with existing vendors, and assisting with transition to company that acquired assets of bankrupt company.
- Engaged by counsel to assist a celebrity blogger involved in litigation where the plaintiff alleged our client sent improper emails that led to plaintiff's dismissal from employment. We worked with counsel to devise an e-discovery plan, review produced documents, and determine if any other electronically stored information (ESI) was available for authenticating the email communications.
- Assisted financial advisors and Liquidating Trustee for one of the largest futures commission merchant to file for bankruptcy with performing the following tasks: reconstructing the investment proprietary tracking database, extracting/converting the legacy and proprietary investment management system, reconstructing

account statements, analyzing securities data, and performing analysis of the mechanisms by which securities were leveraged and proceeds were allocated to customers.

- Retained by the counsel to assist in a litigation matter where the plaintiff alleged a competitor surreptitiously and illegally accessed and downloaded confidential and proprietary information from its database. Participated with Meet & Confer, developed discovery requests, and collected over 30 electronic assets.
- Engaged by company to perform an IT audit. Executives of the company were concerned that their emails were being compromised and wanted a review of their IT department, security protocols for managing email and determining if any employees were inappropriately accessing emails.
- Assisted a major wireless telecommunication firm in a class action brought under the Federal Fair Credit Reporting Act. Responsibilities included responding to and handling discovery requests. Led a team of analytical experts who assisted in identifying relevant business owners, analyzing business/data constraints, and acquiring data from multiple production systems and data warehouses, and completing the supporting analysis.
- Engaged by a marketing services company that was responding to a state's Attorney General investigation on allegedly misusing sensitive customer privacy information. Our team at the direction of counsel reviewed, responded, and coordinated discovery requests based on electronically stored information (ESI) available. We also worked on ensuring appropriate legal holds were maintained during the investigation.
- Assisted client by developing a settlement distribution calculation based on the limited terms outlined in their agreement with a state's Attorney General Office. The distribution calculation was based on disparate data collected at the local agencies and corporate financial statements. Our calculation was approved by the Attorney General and the funds were distributed.
- Designed and developed a claims processing application designed to import and process claim data, calculate amount owed to the claimant, and audit the disbursement of funds.
- Co-developed a web-based application at the National Institute of Allergies and Infectious Diseases (NIAID) to assist in the management of awarding grants to scientific research groups.
- Assist a major retailer with launching a pre-emptive investigation to determine if stock option backdating had occurred within their company. Besides assisting the retailer with the forensic collection and preservation, we also assisted their forensic accountants with consolidating and de-duplicating over one-thousand disparate databases and other files (e.g. Access databases, Excel spreadsheets, minutes from meetings of the Board of Directors) to build a centralize and relational database that allowed for data normalization, individual de-duplication and record comparison. We were able to provide data management control with full transparency and a clear audit trail from source document to final stock option activity record.
- Assisted several specialist firms in response to trading rule violations alleged by the New York Stock Exchange (NYSE). Responsibilities included acquiring data from NYSE, interviewing NYSE officials to understand data and its components, and identifying flaws in opposition-produced data sets and models.
- Assisted a behavioral health insurance company with the architecture, development, and management of their in-house provider management system.

EDUCATION

- Bachelor of Arts, Political Science & Psychology, Washington College, *magna cum laude*

CERTIFICATIONS

- Microsoft Certified Professional
- 70-228 Installing, Configuring, and Administering Microsoft SQL Server 2000 Enterprise
- 70-229 Designing and Implementing Databases with Microsoft SQL Server 2000 Enterprise
- 70-155 Designing and Implementing Distributed Applications with MS Visual Basic 6.0