

# Legal Services Management 3.0 Core Curriculum

The ACC  
**VALUE**  
Challenge



# Legal Project Management Toolkit Inventory

1. Introduction to Legal Project Management
2. ACC Docket materials on project management
3. Project management readiness diagnostic
4. Stakeholder Chart
5. Work Plan and Budget
6. Project management software



The ACC  
VALUE  
Challenge



# Introduction to Legal Project Management

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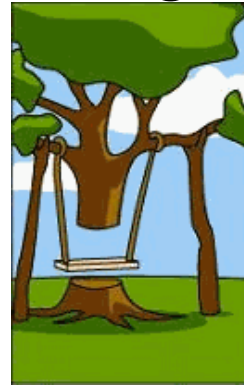
# The Business Case for Legal Project Management



How the Client explained it



How the inside lawyer understood it



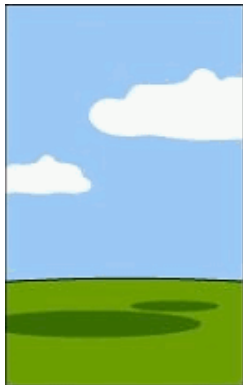
How the law firm designed it



How the all the lawyers handled it as a team



How the CFO described it



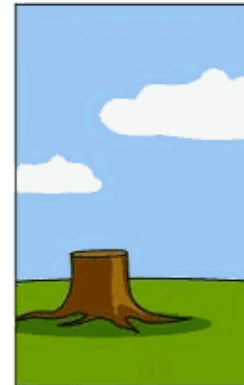
How the litigation process was documented



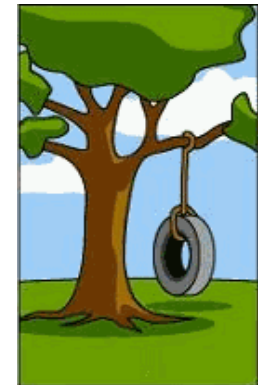
What the Client thought was done



How the Company was billed



How the dissatisfaction with the experience was addressed



What the Client really needed

Source: Unknown ("The Tree")

 Association of Corporate Counsel



# Overview

**Part 1: A Brief History of Project Management**

**Part 2: What is Project Management?**

**Part 3: The Iron Triangle of Project Management**

**Part 4: The Evolution of Project Management**

**Part 5: Project Management Models - Adaptations for Legal Work**

**Conclusion**

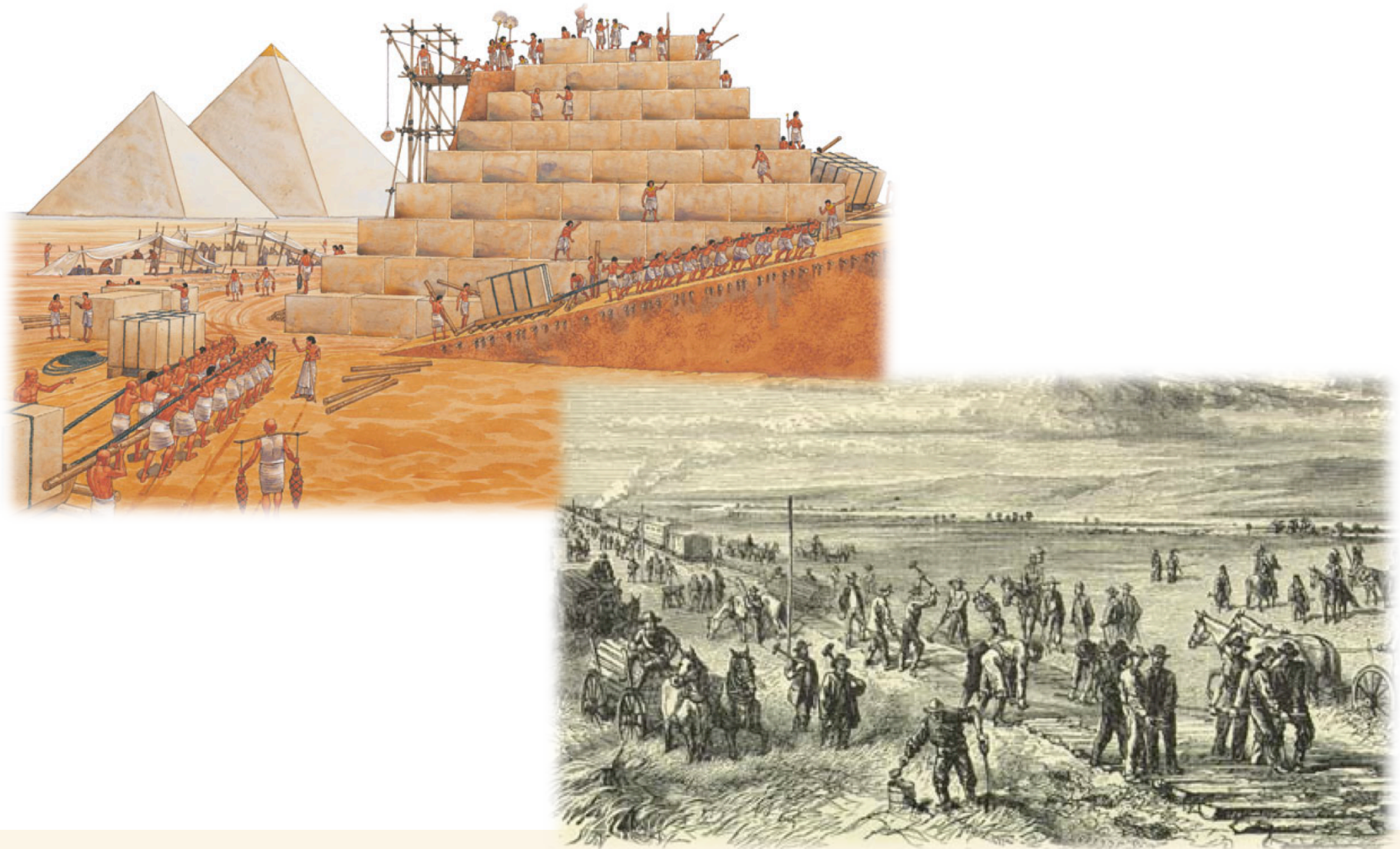


# PART I

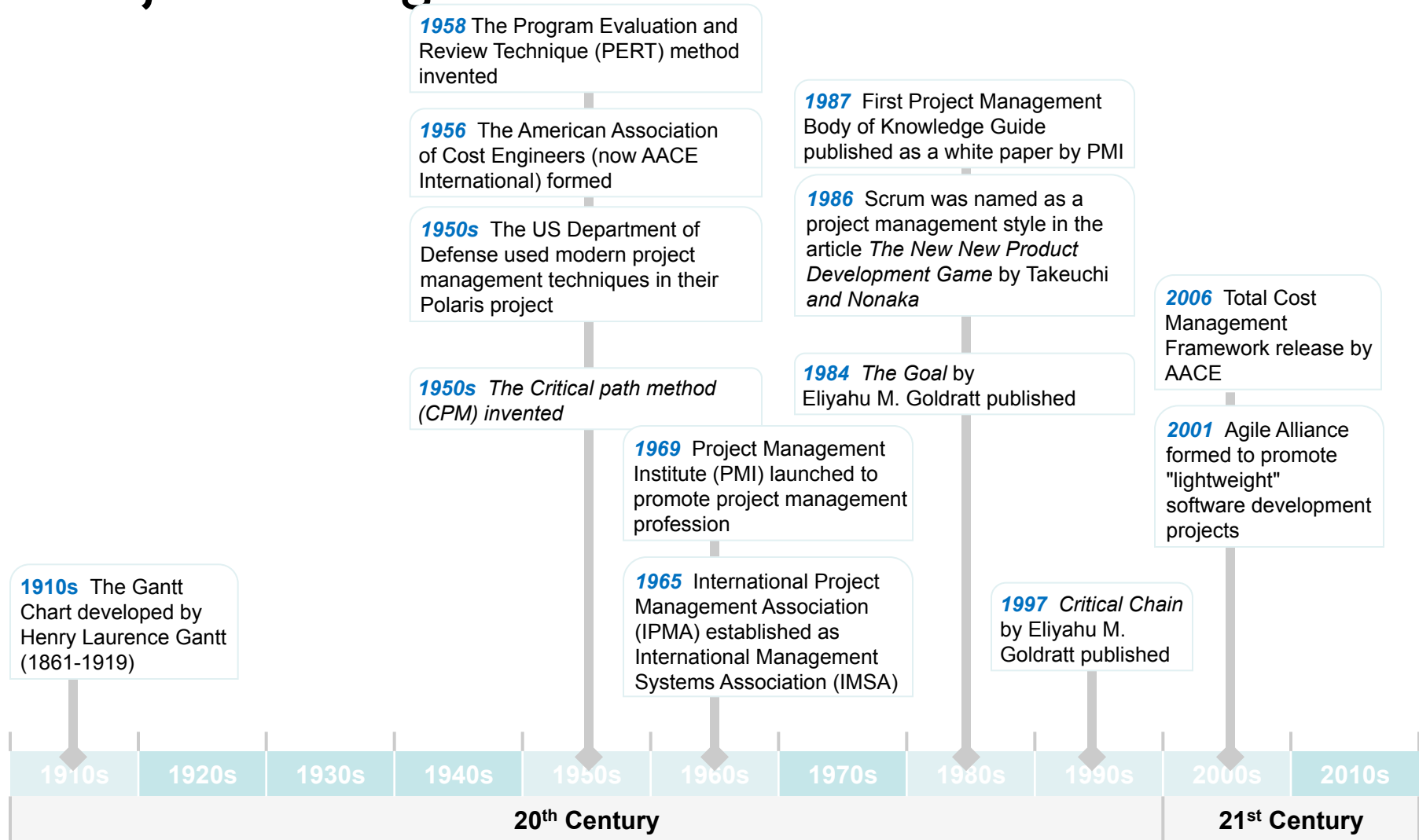
## A Brief History of Project Management



# Project management is not new



# Project Management: Modern Historical Timeline



# Evolution of Project Management:

## Traditional Project Management

- Modern project management evolved in the 1950s as a means of controlling work processes in construction and engineering
  - It relied heavily on Gantt charts and PERT diagrams, based on dependencies among tasks, and other templates
  - A project manager defined the sequential stages of work from a client's statement of requirements of an end result
- Traditional project management is characterized by rigidity: “Plan the work and work the plan”
  - Customer provides a clear statement of work at the beginning
    - Assumes customer/client knows what it wants vs. what it needs
    - Low tolerance for changes in scope (corollary: work process)
    - Technology in the hands of engineers
  - No work performed until plans are complete (scheduling, resources and scope are predetermined)
  - Assumes perfect information

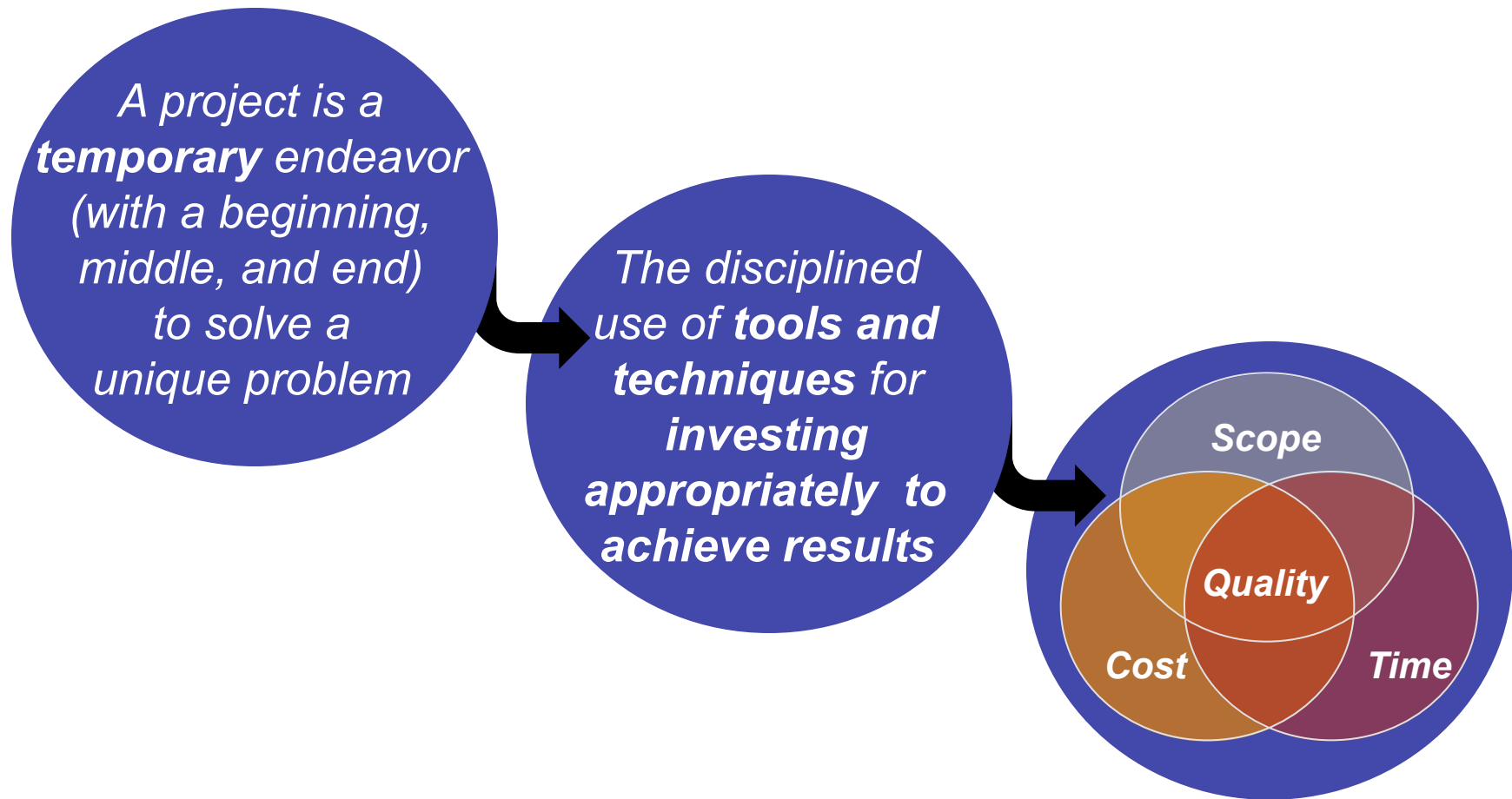


# PART 2

## What is Project Management?



# Traditional Project Management



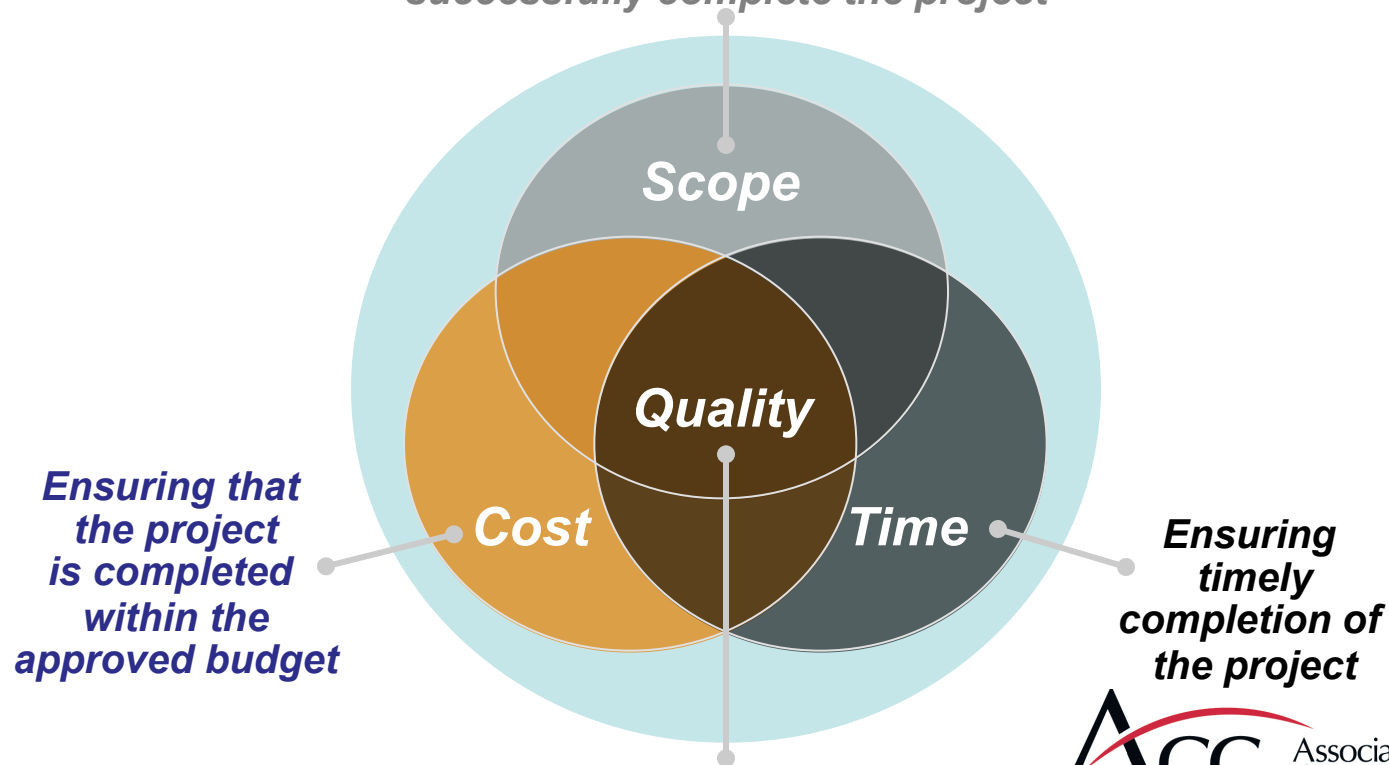
Source: Project Management Institute

# Traditional Project Management Elements

## Integration

*Ensuring that the various elements of the project are properly coordinated*

*Ensuring that the project includes all the work required, and only the work required, to successfully complete the project*



Source: Project Management Institute

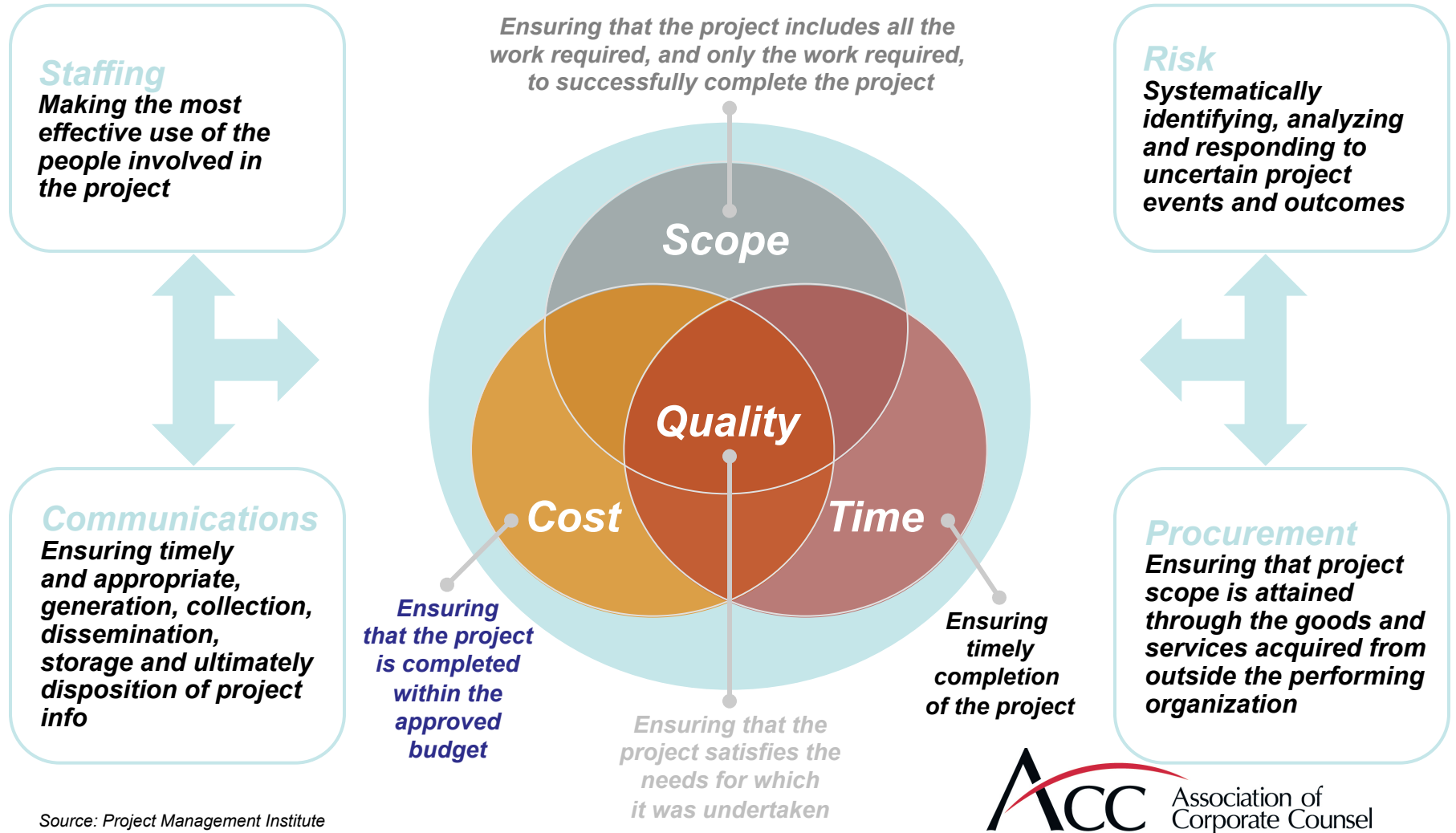
*Ensuring that the project satisfies the needs for which it was undertaken*



# Traditional Project Management Elements

## Integration

*Ensuring that the various elements of the project are properly coordinated*



# PART 3

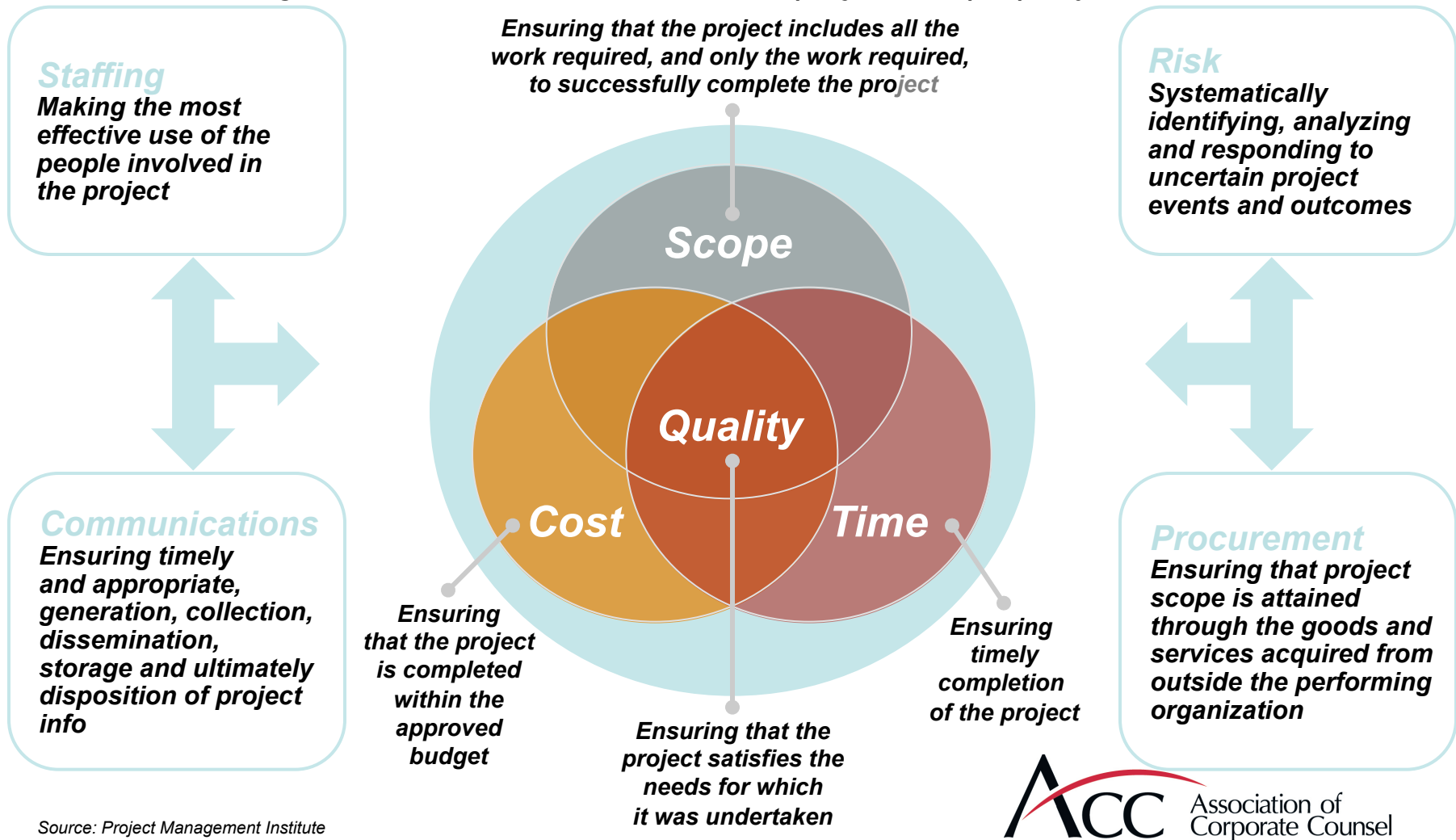
## The Iron Triangle of Project Management



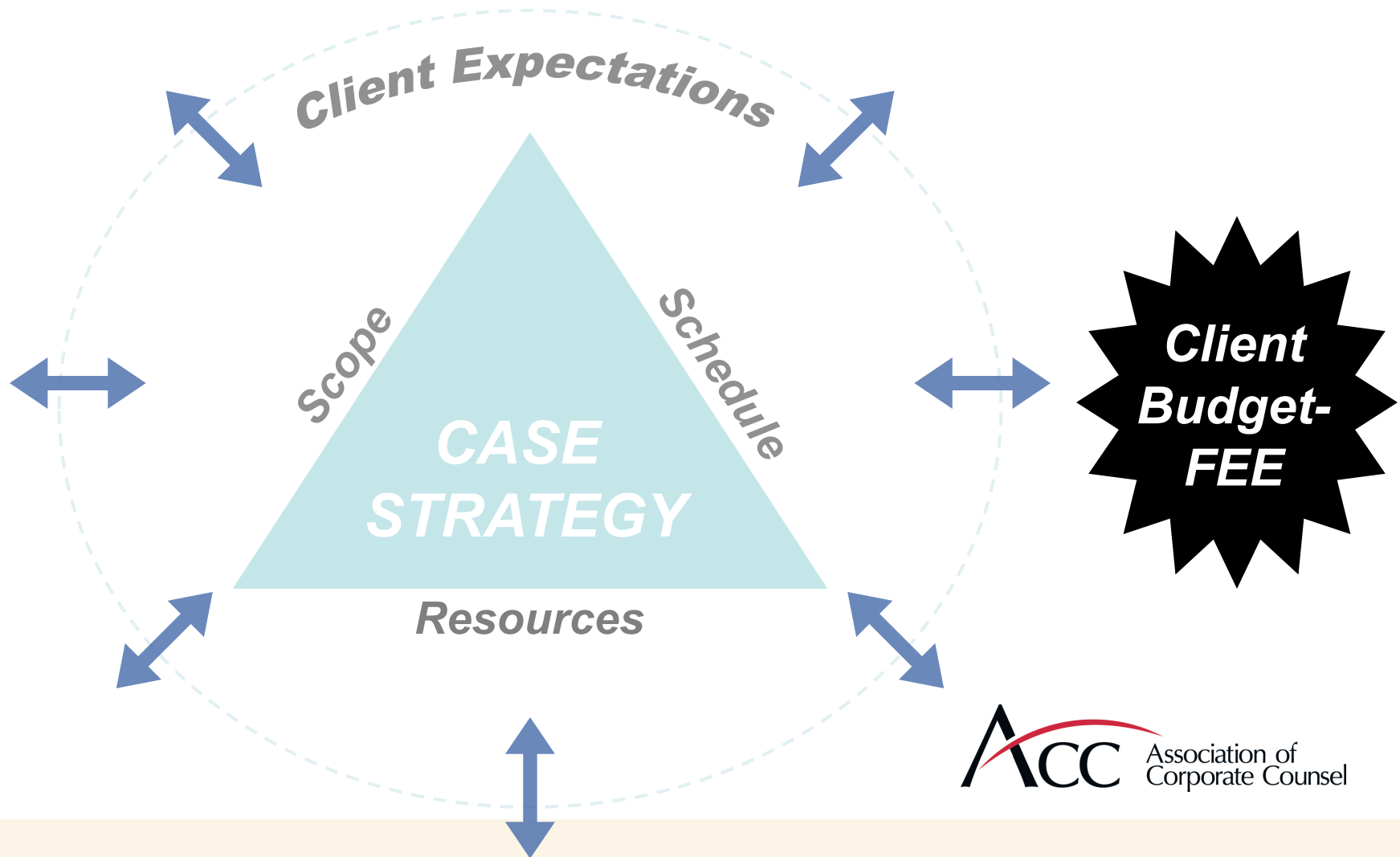
# Traditional Project Management Elements

## Integration

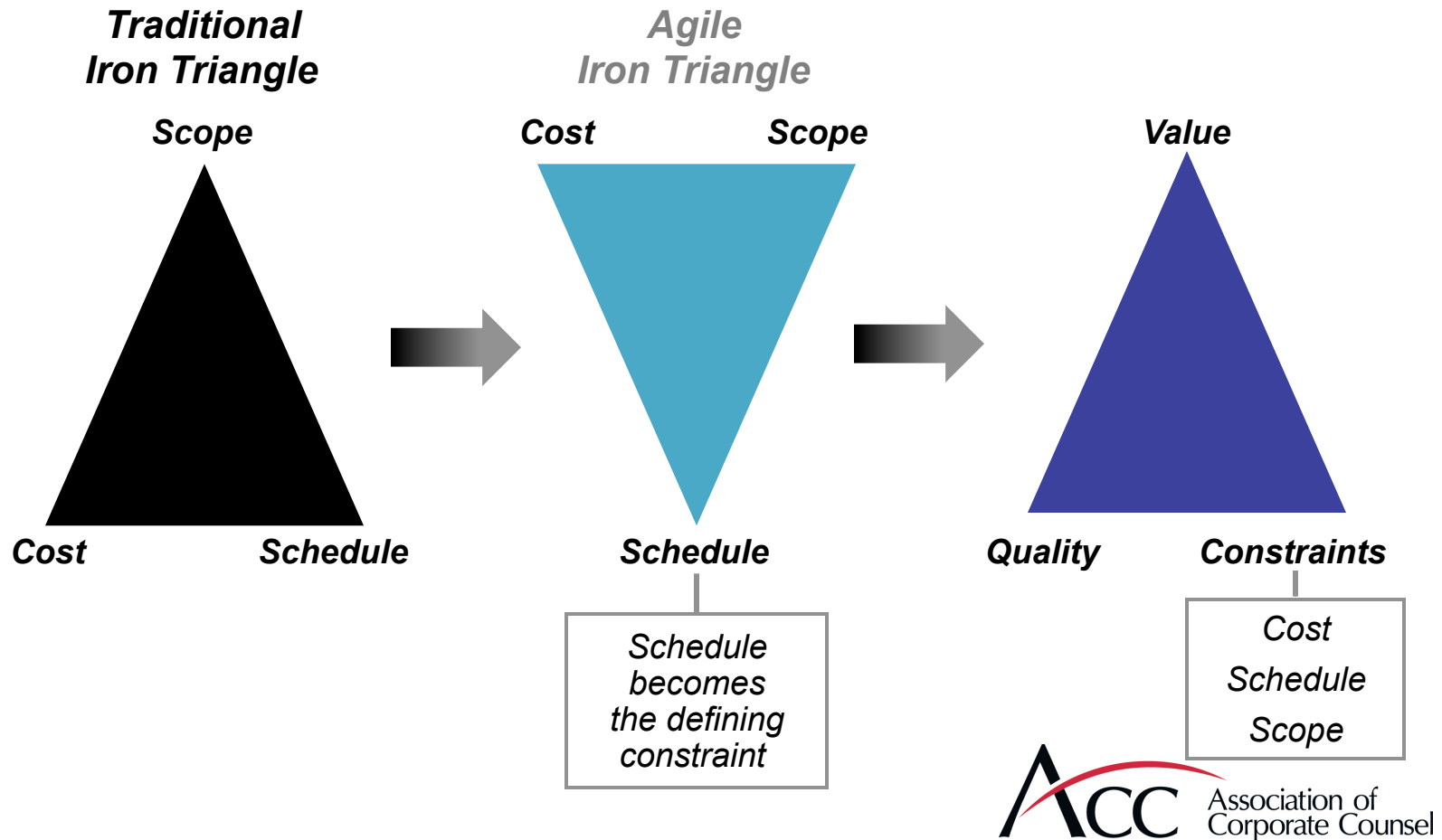
*Ensuring that the various elements of the project are properly coordinated*



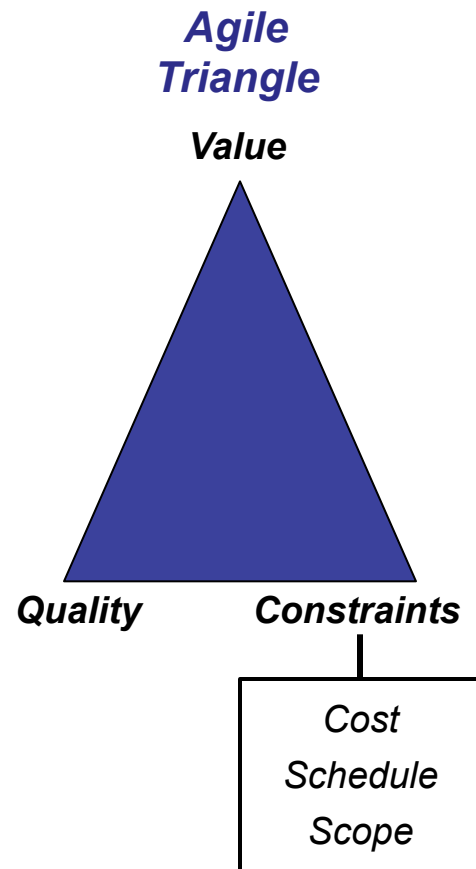
## The Iron Triangle of Project Management: Impact on Legal Fees and Pricing



# The Evolution to a Triangle for Legal Project Management



# The Evolution to an Agile Triangle — Application to Knowledge Work



Goal	Description	Application to Knowledge Work
<b>Value</b>	Build a reasonable product	Do it in a way that meets client needs
<b>Quality</b>	Build a reliable, adaptable product	Do it effectively
<b>Constraints</b>	Achieve value and quality goals within acceptable constraints	Manage cost Meet client schedule / timing requirements Do it efficiently

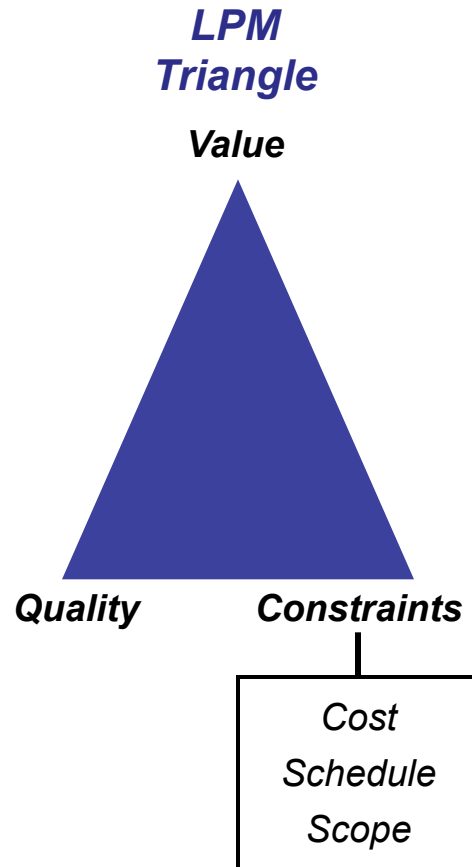
*Every organization is constrained by at least one factor that in turn limits the activities of the organization. To optimize a system, you must identify the impact of the constraining factor*

Source: Goldratt's Theory of Constraints (1984)

Source: Agile Project Management, Creating Innovative Products (2nd ed.) ( 2010), pg 21, by Jim Highsmith



# The Agile Triangle — Application to Legal Project Management



Goal	Description within the Agile Triangle	Application to LEGAL PROJECT MANAGEMENT
<b>Value</b>	Build a reasonable product	Legal work as valued by clients
<b>Quality</b>	Build a reliable, adaptable product	Defined by professional standards and well-executed from a client's perspective (effective)
<b>Constraints</b>	Achieve value and quality goals within acceptable constraints	Same, and address cost, scope and schedule issues for particular types of work



Source: *Agile Project Management, Creating Innovative Products (2nd ed.)* (2010), pg 21, by Jim Highsmith

# Part 4

## The Evolution of Project Management





# Traditional Project Management

- Traditional project management methodology is suitable for routine, repetitive and standardized activities
  - Does not require highly-skilled team members
  - Each team member's role is specialized and narrowly circumscribed
- Feedback is part of planning and controlling the project
  - Used to measure progress against plan
  - Not used to assess progress toward goal nor promoting improvements in future work
- Management approach is hierarchical (“command and control”)
  - Focus of each team member's work is technical with high emphasis on quality of specific tasks and little or no attention to original customer goals nor possible changes in such goals
  - Collaboration among team members across boundaries is low



# Rise of Software Engineering Methodologies

- Software engineers have led the way in development of agile and extreme methodologies in response to business mandates
  - Business environment requires earlier release of deliverables
  - New product development process must be a competitive advantage
  - Management process must be driven by need to produce business value
- Agile project management methodologies start with the goal of a commercially-viable end result
  - It assumes that learning and discovery will occur during the course of the project
  - Changes are expected and embraced
  - Leadership and team member responsibility for client-focused outcomes are integrated into process and seen as essential



# Part 5

## Project Management Models - Adaptations for legal work



# “One size fits all” has been replaced by seeking the “best fit” among project management life cycle models

- Projects have distinct characteristics along at least 7 dimensions:
  1. **Risk**
  2. **Business Value**
  3. **Stakeholders**
  4. **Complexity**
  5. **Work Processes** (including use of cross-functional teams and outsourced vendors)
  6. **Length**
  7. **Budgetary considerations**
- In order to establish best fit for a methodology, as well as to build awareness of the project environment for the team, organizations apply ranking systems

Source: *Effective Project Management: Traditional, Agile, Extreme* (5th ed.) (2009), pg 17, by Robert K. Wysocki



# Legal work may be segmented across a number of dimensions

***This has implications for client expectations about service and pricing***

<div style="text-align: right; padding-right: 5px;"><b>Legal Work</b></div> <div style="text-align: left; padding-left: 5px;"><b>Business Focus</b></div>	<b>Extraordinary</b>	<b>Specialized</b>	<b>Standardized</b>
<b>Strategic</b>		XXX	No
<b>Mandatory</b>	High visibility compliance	Legislative initiatives and regulatory positions	Ongoing regulatory compliance
<b>Operational</b>	No		



Source: Blaqwell Analysis

# Project characteristics as a determinant of which model to use

Project Management Model	Project Characteristics
<b>Linear</b>	<ul style="list-style-type: none"> <li>• The solution and requirements are clearly defined</li> <li>• You do not expect too many scope change requests</li> <li>• The project is routine and repetitive</li> <li>• You can use established templates</li> </ul>
<b>Incremental</b>	<ul style="list-style-type: none"> <li>• Same conditions as the Linear approach, but the customer wants to deploy business value incrementally</li> <li>• There may be some likelihood of scope change requests</li> </ul>
<b>Iterative (Agile)</b>	<ul style="list-style-type: none"> <li>• You feel that requirements are not complete or may change</li> <li>• You will learn about remaining requirements in the course of doing the project</li> <li>• Some features of the solution are not identified as yet</li> </ul>
<b>Adaptive (Agile)</b>	<ul style="list-style-type: none"> <li>• The solution and requirements are only partially known</li> <li>• There may be functionality that is not yet identified</li> <li>• There will be a number of scope changes from the customer</li> <li>• The project is new product development or process-improvement oriented</li> <li>• The development schedule is tight and you can't afford rework or replanning</li> </ul>
<b>Extreme</b>	<ul style="list-style-type: none"> <li>• The goal and solution are not clearly known</li> <li>• The project is an R&amp;D type project</li> </ul>

Source: *Effective Project Management: Traditional, Agile, Extreme* (5th ed.) (2009), pg 337, by Robert K. Wysocki



# Project management methodologies may be as flexible and adaptable as the situation requires

		SOLUTIONS	
		Clear	Not Clear
GOALS	Not Clear	Q4 <i>MPx</i>	Q3 <i>xMP</i>
	Clear	Q1 <i>TPM</i>	Q2

**TPM: Traditional Project Management** (goal and solution clear)

*Example:* Install an intranet network in field office

**APM: Agile Project Management** (goal is clear but the solution is not)

Put a man on the moon and return him safely by the end of the decade

**xMP: Extreme Project Management** (neither the goal nor the solution is clear) The goal is often not more than a guess at a desired end state with the hope that a solution to achieve it can be found.

*Example:* Cure the common cold

**MPx: Emertxe Project Management** (goal is not clear, but solution is – applies to R&D projects when seeking to create business value) (Term is “extreme” spelled backwards)

*Example:* Wal-Mart’s search for an RFID application

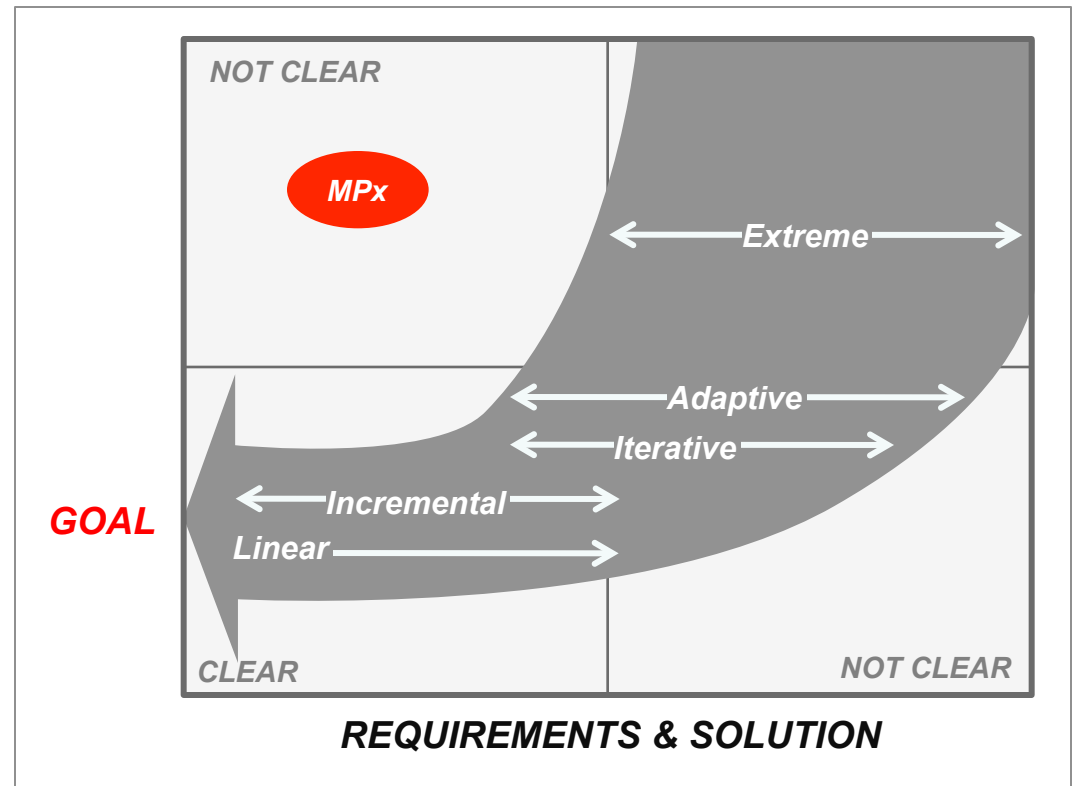
Source: Robert K. Wysocki, *Effective Project Management (5<sup>th</sup> Ed.)*, provides the foundation for describing the project management life cycle models described in this presentation.



# The Project Management Landscape

As the degree of solution uncertainty increases:

- Risk management becomes more significant
- The need for meaningful decision-maker involvement increases
- Complete project planning is replaced with just-in-time project planning



Source: Robert K. Wysocki, *Effective Project Management (5<sup>th</sup> Ed.)*, provides the foundation for describing the project management life cycle models described in this presentation.





# Conclusion

*“If you don’t know where you’re going, you might not get there.”*

*Yogi Berra*

*When You Come to a Fork in the Road, Take It*









# Welcome to Lawyer and

BY JAMES R. BUCKLEY

## Why Even Brilliant Outside Counsel Cost Too Much

*FIRST OF A THREE-PART SERIES.*

Let me start with a heresy: Legal services are much like goods in commerce. Much of what clients purchase from lawyers is pedestrian, commodity-like, and cheap; but at the other end of the consumer spectrum, this product can be high-performance, state-of-the-art, and very pricey. Often, much too pricey, because these providers generally do not know how to produce an economically efficient product.

Competent legal services at the commodity end of the spectrum are the province of the efficient, low-cost, low-margin provider who—if successful—knows exactly the relationship between market conditions, the lawyer's fee structure, and the lawyer's direct and overhead costs. Clients in this regime cannot (or will not) subsidize inefficient lawyer behavior, and practitioners cannot bear such costs either. This description probably characterizes the reality shared by the vast majority of small businesses in America. Lawyers who practice in this neighborhood are at the murderous edge of reality: they need no business lessons, because they either "get it" or they have had it.

This article is not about them; it is about lawyers at the farther end of the spectrum, where the services they provide are so specialized, the market seems able to tolerate a great deal of economic inefficiency. In this zone, the market has concluded that fees of \$500 to \$1,000 per hour are justified, so long as the client receives a reasonable chance of make-or-break success. I call this region "Lawyerland," because the normal rules of economics don't seem to apply here, and reality seems to be ruled by a form of logic that is seldom rewarded elsewhere in commerce.

This part of my article examines how Lawyerland came to be, why it operates as it does, and why it inflicts excessive costs on client's bottom lines.



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The opinions expressed herein are those of the author and do not necessarily reflect those of Lockheed Martin.

## LOOK UNDER EVERY ROCK

Unless companies have money to burn, they turn to the blue-chip, blue-blood law firms of Lawyerland for foundational legal services or when the fate of the company is on the line. Under these circumstances, the denizens of Lawyerland tend to be judged primarily by their record for success, by their reputation for legal acumen, or by their creativity in devising prototypical solutions to unusual problems.

What we are dealing with here is the possibility of success, which is being maximized—not *optimized*. We could not be further away from the practice of “commodity law,” where success is balanced with timeliness and cost-effectiveness.

Given this disconnect between Lawyerland reality and the reality experienced by almost everyone else, the lawyer in Lawyerland has little incentive to do anything but turn over every rock until the right answer, the *winning* answer, is found. Indeed, new lawyers introduced to Lawyerland are trained from the moment they arrive to be exhaustive and to be perfect, to the exclusion of everything else. Thus, it would be no more fair to assume that the average lawyer in Lawyerland would have mature business management skills than it would be to assume that a great university researcher—plucked from an ivory tower—would have great teaching skills when dropped into a freshman survey class with 150 students.

It is possible, of course, for lawyers in Lawyerland to have sound management skills, but if this happens, it is more by lucky accident than by design. This is simply because exhaustiveness and perfection are the natural opponents of thrift and efficiency. In the normal course, however, Lawyerlandians cannot possibly be managing their resources efficiently.

To be sure, where a law firm mismanages its business to an offensive degree it will not survive at all. But so long as a given firm performs generally as well (or as poorly) as its peers, there is probably insufficient market pressure to force a change in how the firm conducts its business, and a convention of mediocrity in the stewardship of client resources will prevail.

Given the amount of client resources that lawyers in Lawyerland typically consume, the total cost of even modest inefficiency is high. Who bears this cost? Undoubtedly, it is the client in the first instance, though the costs are likely spread by various means throughout the economy and ultimately are borne by the client's consumers. Everyone who pays for this inefficiency is helping to subsidize and encourage it.

Consumers in Lawyerland should understand this dynamic, and under *some* circumstances—in the throes of crisis at the beginning of a representation, for example—should even accept it. But tolerating rampant inefficiency throughout the life of a major project can only be the result of laziness or ignorance on the part of those involved. As long as the lawyers continue to get paid for wasting someone else's money, they do not internalize the costs of their own inefficiency, and there is little motivation for them to work harder at being more efficient.

But here is the rub: In-house counsel are stuck in the interface between Lawyerland and commonplace business reality. In the absence of a crisis, in-house counsel's captive clients inevitably bring management pressure to bear on law department costs just as they do with every other department. Moreover, the entire culture of the client organization often revolves around striving for management excellence. To the extent that the legal department fails to translate this corporate culture into the department, legal runs the risk of being marginalized or embattled. Incidents requiring crisis management may force the corporate client to tolerate Lawyerland economics initially, but tolerance for high costs ultimately wears at the bottom line.

Sooner or later, in-house counsel must bow to client pressure for economy and begin to pass this pressure on to outside counsel. How this is done, and the results it achieves, will ultimately define the relationship between outside counsel and the client—or terminate it. Wishing that this were not so does not alter the reality that it is, so the parties are left with the challenge of trying to harmonize these conflicting tensions.

## LIFE ON THE FRONTIER

Insofar as native business sense is concerned, in-house counsel, who live on the frontier between Lawyerland and client reality, are scarcely better off than outside counsel, who spend all their time in Lawyerland. If in-house counsel came from Lawyerland in the first place, the problem is obvious: They were trained to be exhaustive and perfect themselves and will initially be as ignorant as outside counsel about the client's business perspective. Even if in-house counsel came from somewhere closer to the reality of commodity law, the non-Euclidean nature of Lawyerland may be as mysterious to them as it is to their client. Thus, in-house counsel may be fooled into suspending the disbelief that mere common sense would dictate.

## **IN-HOUSE COUNSEL SHOULD NOT BE DISCOURAGED BY THIS RESISTANCE. INSTEAD, THEY SHOULD REMEMBER THAT LARGE LEGAL PROJECTS—LIKE ALL LARGE BUSINESS PROJECTS—NEED TO BE MANAGED.**

In my experience, lawyers obtain whatever business management expertise they possess from three sources: They bring it to the profession from their own prior experiences, they learn it from their clients, or they learn it by watching other lawyers who know more. These lessons are applied more or less haphazardly to the practice of law (especially in Lawyerland) on an ad hoc basis, and typically in the face of stiff resistance from other lawyers around them.

However, in-house counsel living on the frontier have little choice. They are trapped at the interface between corporate management and outside counsel, which concentrates the impetus for the application of business management principles to the purchase and delivery of legal services.

It is this tension that has driven in-house counsel to experiment with new methods for managing outside counsel. Such new methods include law firm "convergence" (i.e., concentrating more of the

client's legal work in fewer firms, usually done in exchange for concessions on billing rates), legal auditing, task-based billing, outsourcing of legal research, and the use of online auctions. By using these tools, in-house counsel are trying to flow down the culture of their clients into the law firms. Heaven knows these are seldom innovations conceived by Lawyerlandians themselves. To the contrary, law firms often resist these measures, and in any event both in-house and outside counsel seem able to implement these management tools only imperfectly.

In-house counsel should not be discouraged by this resistance. Instead, they should remember that large legal projects—like all large business projects—need to be managed.

**In-House Observation #1:** If an enterprise looks like a business, acts like a business, and commands resources like a business, you should consider managing it like a business.

The key for in-house counsel is to recognize that business management skills are needed to manage outside counsel, that different situations require different solutions, and that in-house counsel need to have a toolkit of techniques to apply as each situation requires.

## THE ORIGINS OF LAWYERLAND

Having once practiced in a national law firm as a litigator in complex litigation, and having since employed a number of national law firms in such matters as the client, I have seen the approach taken by any number of firms to the practice of law generally, to the management and development of their lawyers, and to the management of large cases in litigation. All bear the indelible hallmarks of a certain philosophical view of our profession—a view that leads almost inevitably to a management approach that increases management problems as the size of the case increases.

This philosophical view holds that each lawyer is a singular, sacredly autonomous unit. At the birth of our profession this was undoubtedly so. Before the

day of corporations, business was conducted on a personal level, and so, too, the practice of law was a personal profession—even among those lawyers specializing in business matters. One can easily imagine that a lawyer was, perhaps, first and foremost a counselor, one in whom the client entrusted valuable confidences and personal secrets as part of the necessary incidents of getting to the bottom of a legal entanglement. The legal system and the profession, in a day in which personal honor and integrity were a natural part of daily conversation, established the tradition and practice that the attorney-client relationship was a special one, akin to doctor-patient and clergy-parishioner, to be protected from outside intrusion. At the same time, the legal system and the profession established that the potential for abuse held by the lawyer, standing in such a unique position to clients made vulnerable by the sharing of their confidences, had to be held in check by imposing the highest possible duty on the lawyer—a fiduciary duty—to keep the client’s confidences and to act selflessly in the best interests of the client.

**LEGAL ENTERPRISES WITH ANNUAL REVENUES OF \$500 MILLION AND MORE CAN HARDLY BE THOUGHT OF AS ANYTHING OTHER THAN WHAT THEY IN TRUTH ARE: LARGE, SUCCESSFUL, COMPLICATED BUSINESS ENTITIES. YET THEY CONDUCT THEIR PRACTICE IN ANYTHING BUT A BUSINESS LIKE FASHION.**

As society and business grew, so did the legal profession. But because of the uniquely personal role of lawyers, the associations of lawyers that arose did so in such a way that the individual identity, role, and prerogatives of each individual attorney were preserved. Thus, the prevailing form of such associations was the partnership. Only recently has this partnership model evolved into the hybrid business forms of “professional corporations” or “limited liability partnerships”—old-fashioned partnerships covered with a new veneer to limit the risk of crushing

personal liability in this age of billion-dollar commerce and far-flung partnerships of 1,000 lawyers and more.

These historical antecedents continue to infuse the practice of law today, and indeed provide the foundation for a great deal of conflict in law firms and in the profession generally. As I see it, legal enterprises with annual revenues of \$500 million and more can hardly be thought of as anything other than what they in truth are: large, successful, complicated business entities.<sup>1</sup> Yet they conduct their practice in anything but a business like fashion. To be sure, they have become very good at invoices, accounts receivable, and reducing their overhead costs in lean years, but they do not manage—in a very business like way—the assets for which they bill their clients.

Large corporations like to say that their most important assets are their employees, and accordingly, corporations make some effort at training and developing their employees, at honing them into teams, and at trying to lead them to collective success. In law firms, the individual lawyers truly *are* the only assets of the enterprise, but much of the training of lawyers in big firms is done by passive apprenticeship. Such active training as is provided to young lawyers in firms is as much to manage the firm’s risk of malpractice as it is to develop the lawyers themselves. For the most part, a lawyer today learns as he or she would have done 200 years ago: by apprenticing (in effect) with a more experienced lawyer and learning by watching the other lawyer work. The individual lawyer’s autonomy, whether in learning or in practicing, remains more or less sacrosanct, and there is precious little sense of management among teams of lawyers.

Consider the relationship among lawyers vertically within the hierarchy of a large firm. Although a junior associate will defer to a senior associate, who will defer to a junior partner, who will defer to a senior partner, this is rather more a social hierarchy than a business hierarchy, per se. In a given firm, one lawyer cannot be said to “report” to another lawyer (be accountable to, perhaps, but not “report to” in a business sense).

For example, in a large firm, an associate may work with a dozen different partners on smaller matters, which can fragment the sense of accountability the associate has to any one partner. With many matters progressing concurrently, and with the associate

accountable to potentially a different set of superiors on each matter, the associates are spread across a set of partners, rather than reporting upward in a static vertical chain of command. This reality is further reflected in the structure of annual personnel reviews, which (when given at all) tend to be conducted by lawyers who do not actually work closely with the associate under review but who collect feedback from all of the partners with whom the associate works. This reviewer is then subject to change from year to year. The result, to varying degrees, is that a given associate is not typically accountable to a single partner who is in a position to train, nurture, and guide the associate; conversely, partners are not held responsible for how a young associate is performing in their practice as a whole.

**PRACTICE GROUPS WITHIN THE FIRM MAY CREATE SOME COHESION WITHIN THIS INSTITUTIONALIZED INDIVIDUALITY, AND AMALGAMATIONS OF LAWYERS MAY COALESCE ON A TEMPORARY BASIS AROUND A GIVEN CASE, BUT NEITHER OF THESE TRENDS REALLY AFFECTS THE WAY INDIVIDUAL LAWYERS CONDUCT THEIR PRACTICE.**

Considered horizontally, we are thrown almost entirely back to the level of compartmentalization and autonomy that lawyers enjoyed at the dawn of man. Each lawyer at a given level in the hierarchy of a firm will enjoy friendships and a spirit of collegiality with other lawyers at the same level, but this is counterbalanced by a powerful sense of individualism and competition that is ingrained. College students compete with their peers to gain admission to the most prestigious law schools, and once enrolled, compete with them for top grades and for honors like Law Review and Moot Court. On graduating from law school, they compete for positions in prestigious firms, where they go on to compete for coveted positions as partners of the firms and ultimately for prestige within the firm.

The result, depending to some extent on the personalities of the individual lawyers, is that lawyers are far more individualistic than team-oriented.

### **A THOUSAND POINTS OF LIGHT**

Taken together, these vertical and horizontal dynamics combine to form the worldview of the attorneys within the law firms of Lawyerland, leading to a law firm business model that I call the “Thousand Points of Light.” Under this model—which is in effect to varying degrees in every major firm with which I am familiar—each of the thousand or so lawyers in the firm is viewed as an individual profit center who is entitled a level of autonomy and personal deference in his or her decision making, commensurate with where he or she stands within firm’s hierarchy.

Practice groups within the firm may create some cohesion within this institutionalized individuality, and amalgamations of lawyers may coalesce on a temporary basis around a given case, but neither of these trends really affects the way individual lawyers conduct their practice. Practice groups, for example, tend to function as much for marketing purposes as anything else. They provide a forum for lawyers to share experiences and tips, but the group dynamic does not usually reach down into the practice of the individual lawyers who comprise the group. Likewise, in a large case, teams create a mechanism for staffing the work that needs to be done and there is a recognized hierarchy for the making of strategic and tactical decisions about the content and presentation of the case, but these judgment calls do not reach into how each individual lawyer on the case works.

The “Thousand Points of Light” model does provide a number of advantages to both law firms and their clients. From the firm’s perspective, the model accords every individual lawyer a high level of autonomy and respect, which creates an attractive work environment for the type of capable, ambitious, and highly motivated individual who is drawn to the practice of law at this level. Moreover, supervision—and even basic training of young lawyers—is kept to a minimum, which reduces the firm’s overhead and maximizes the amount of time that more senior lawyers can devote to billable time.



From the client's perspective, this highly distributed model tends to foster a more creative environment, because all of the lawyers working on the matter are being encouraged to think for themselves. In addition, this dynamic may create a certain robustness in preventing mistakes, because of the redundancy of several quasi-independent actors working on each matter.

These advantages are significant, but so are the disadvantages. The most obvious, from a business standpoint, is that there are a great number of economic inefficiencies built into the model and—given the hourly rate structure of most representations—the client is bearing all of the costs of these inefficiencies.<sup>2</sup> The result is that the client is paying for younger lawyers' self-training (often by trial and error), for the duplication of effort, and for myriad different points of view about what should be done in the case outside of the highest levels of strategic and tactical decision-making.

Ultimately, the partner(s) in charge of various aspects of a case may exert substantial influence on *what* work is done, but not on *how* the work is done. The level of resources consumed by the effort is left to the most junior members of the team who are actually doing the brunt of the work. Normally, unless a client imposes very specific requirements on the billing of the matter (for example, specifying who can bill to the matter, controlling the preparation of research memos, and so forth), each lawyer will work according to his or her own conscience, and the billing partner will bill as he or she sees fit.

The cost of this inefficiency may not be particularly significant in small or in even moderately sized matters. In major litigation (or in an aggregation of smaller matters), however, legal fees can run as high as a million dollars a month or even higher. Under these circumstances, even a very modest 5 percent inefficiency will end up costing the client \$600,000 per year. If the inefficiency factor is even higher, the cost impact can be quite serious. No client would consciously waste \$600,000, so the question becomes: how do firms prevent this waste?

The simple answer, under the Thousand Points of Light Model, is that they do not. Good intentions about watching costs might be communicated throughout the firm, but the plain truth is that you cannot hope to manage costs when you do not manage how the costs are generated. Unless more senior

lawyers are closely monitoring the more junior lawyers, and are giving them direct feedback about how much time they invest in each task, the decisions being made by the most junior lawyers on the matter (again, those doing the bulk of the work) are what directly determine how much the matter will cost the client. Given the level of self-tutoring junior lawyers are routinely doing, their incentive to make their work as perfect as possible, and their incentives to bill every minute of their time, the client is potentially subsidizing a great deal of inefficiency. The billing partner may provide some degree of correction when the time is billed, kind of a value-billing checks-and-balances mechanism, but this is purely an ad hoc review that may or may not result in a bill that equates to the economically efficient value of the services provided.

**In-House Observation #2:** The Thousand Points of Light Model reflects an association of professionals: It is not a model for economical and efficient case management.

There is hope, however, for both the denizens of Lawyerland and the in-house counsel who rely upon them. By making astute use of business management tools, in-house counsel can reduce inefficiency and hold down legal costs.

Which tools should you use and how can you apply them in practice? That will be discussed in the remaining two parts of my series on Lawyerland. ■

#### NOTES

1. The top grossing U.S. law firm in 2002 had gross revenues of \$1.3 billion, which would rank the firm just inside the Fortune 1000. "The AmLaw 100," published by Law.com at [http://www.law.com/special/professionals/amlaw/2003/amlaw100/amlaw\\_100main.html](http://www.law.com/special/professionals/amlaw/2003/amlaw100/amlaw_100main.html) (accessed 4/22/04).
2. When the billing partner in the matter writes off a portion of the time on the bill to address these inefficiencies, the parties end up bearing these burdens jointly. But the Thousand Points of Light model governs even this dynamic: bill write-offs are entirely within the discretion of the individual billing partner, and thus will vary from lawyer to lawyer and even matter to matter.





SECOND OF A THREE-PART SERIES.

Sure, you can blame outside counsel for your company's runaway litigation costs. But that's not going to do you much good. Even if you call the high-priced attorneys into your office and inform them that you're mad as hell and you're not going to take it any more, the fees from your outside counsel aren't apt to go down significantly over the long term.

That's because top-notch outside counsel aren't equipped to solve this problem. As explained in Part 1 of my Lawyerland series, attorneys in the priciest, most prestigious firms are trained to do everything possible to maximize their clients' chances of success—never mind the expense. Most of these attorneys usually have little inkling about how to provide cost-efficient service, which balances the marginal benefit from some litigation work with the benefits to be derived therefrom. Left to their own devices, they won't consider whether it is an efficient use of your limited departmental budget to spend another 30 hours researching a

# ADVENTURES IN LAWYERLAND

## PART 2: Cautionary Tales of Managing Complex Litigation

James R. Buckley, "Adventures in Lawyerland: Part 2, Cautionary Tales of Managing Complex Litigation," *ACC Docket* 23, no. 3 (March 2005): 78-84. Copyright © 2005, James R. Buckley and the Association of Corporate Counsel. All rights reserved.

minor discovery issue or to bring a summary judgment motion that is almost certain to be denied.

In short, attorneys at the high end of the legal profession are trained to maximize their clients' chances of winning, not to optimize the use of (your) limited financial resources in order to achieve the best result.

And that's where you come in. You, as in-house counsel, can productively and efficiently manage the conduct of the litigation, by using the proper business management tools.

I learned this the hard way, through experience. So in the hope that you'll be able to learn from my success and my failures, here are two case studies of my efforts to use business techniques to manage complex lawsuits. The first case study concerns a complex lawsuit that I successfully managed, although I was still groping toward the proper techniques for managing a lawsuit. In the second case, I confidently applied my well-honed management techniques to a lawsuit—with rather unhappy results. It is an object lesson in the limits of management techniques.

By **James R. Buckley**



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The opinions expressed herein are those of the author and do not necessarily reflect those of Lockheed Martin.

## CASE #1: THE EXPERIMENT OF THE VIRTUAL LAW FIRM

Shortly after I arrived at my in-house position, a huge lawsuit landed on my plate. It was my first big litigation, and I immediately recognized that

- The case was going to be an oversight challenge for me;
- Its defense would be a high-profile concern for my company's management (both from the standpoint of the cost of defense and the potential outcomes of the litigation); and
- The case would be the most important fixture of my career for the moderate term.

I also realized that the lawyers I hired to defend the action would be most focused on simply winning the case, and that they would not necessarily focus on any of the three things I just listed. I realized, in other words, that I was responsible for managing the representation for my client and that if the lawyers defending the action did not address my collateral issues, it would be my fault for not telling them to do so.

**In-House Observation #1:** The results you get from outside counsel will be only as good as the direction you provide to them.

With these thoughts in mind, I set out to make sure that outside counsel was going to deliver what I thought I needed, and in the process I stumbled into accomplishing some very important things that I did not know I needed.

The first choice I made was one that carried some

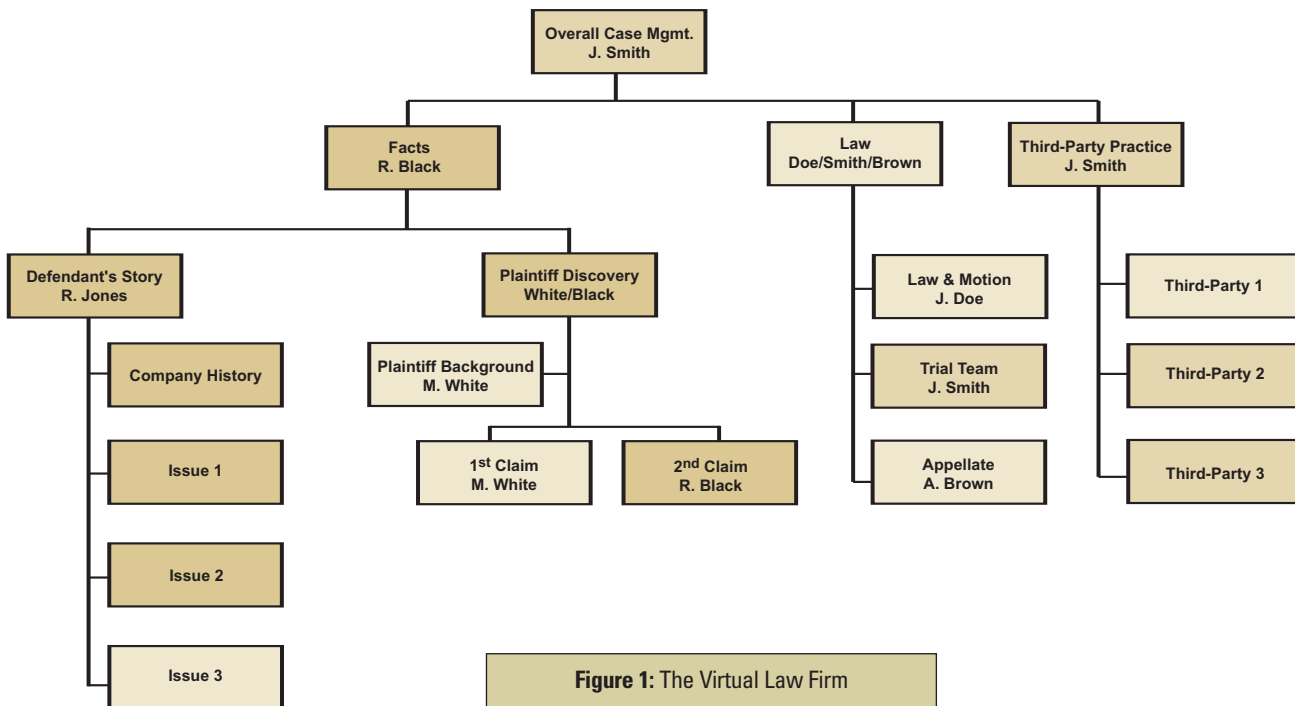
risk, but was ultimately successful. I decided that the case required not a single large firm, capable of handling the entire matter, but rather a selection of individual lawyers—each with a special skill set—drawn from three different firms. Each lawyer so selected was permitted to draw assistance from the group they normally worked with, so the effect was that the case was staffed with a group of cells of lawyers. We had created a “virtual” law firm.

This approach posed obvious management challenges, particularly in coordinating the responsibilities of the various groups and creating a communication strategy that would facilitate information transfer among the lawyers and avoid duplication of effort. We used two basic tools to surmount these challenges.

First, one outside lawyer was made lead counsel, and the other prospective lawyers were interviewed jointly by the lead counsel and me so that the ground rules could be laid from the start. The second tool was that the substance of the case was carved into a series of discrete areas or subprojects that became known as “boxes.” This was done so that there would be no ambiguity about who was responsible for what, to make sure that things did not fall through the cracks, and to reduce the incentives of the lawyers to start poaching in areas outside their portfolios.

There were at least two unintended consequences of creating this unwieldy structure. The first was that because we were so worried about communication problems among the different boxes, we ended up creating intrateam communications that were probably superior to what would have been accomplished using a monolithic team comprised of members of a single firm. We also created a hierarchy of relationships that assured a healthy feedback and accountability loop across all levels within the team. It turns out, however, that I did not appreciate the significance of these accomplishments until subsequent cases where these elements were missing. More on that later.

The next important choice I made was calculated to address my fear of leaving things until the last minute. In my own career, and in the careers of other litigators I have known, I have noticed a tendency to procrastinate on certain long-term tasks until the last possible moment, followed by an insane flurry of activity (characterized by all-nighters) as the deadline approached. I have to believe that this either reflects

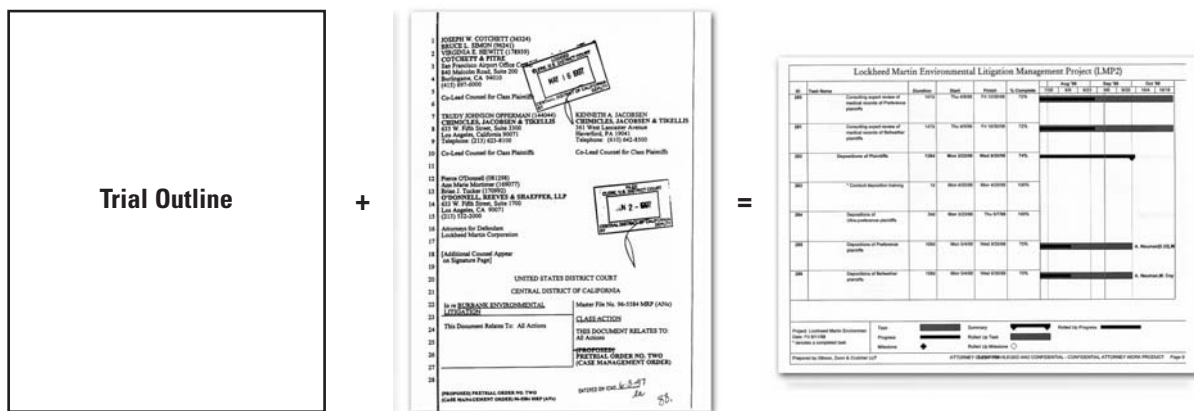


**Figure 1: The Virtual Law Firm**

an addiction to adrenaline or is a tool for triggering bursts of creativity. In any event, my in-house experience persuaded me that my clients were uncomfortable with this mode of behavior.

So, partly to anticipate my clients and partly to avoid last-minute panic attacks, I initiated a dialogue with outside counsel to figure out how to map out the long range plan of what had to be accomplished to bring the case to trial. This resulted in the creation—very early on—of a detailed trial outline. This in turn generated a task list of sorts, starting from the first day of trial and working backwards to the present.

Then, in order to create an appropriate time scale for these tasks, we took the detailed case management order (CMO) that had been negotiated with the court and welded it to the first task list, starting from the present and working forward to the first day of trial. Having been exposed to project management software that my principal client was using to map out large scale construction projects, we translated everything the trial team had done into a master project plan using Microsoft Project Manager software. We christened the effort as the “Lockheed Martin Project Plan,” or “LMP<sup>2</sup>.”



**Figure 2: Trial Outline + CMO = LMP<sup>2</sup>**





**In-House Observation #2:** It is just as important to do a lesson-learned analysis when a case goes well as it is when a case goes wrong.

## CASE #2: MONOLITHS ARE NOT NECESSARILY GOOD

There were any number of reasons why my next big case should have been managed as successfully as the first:

- In-house lawyers working on the second litigation had worked on the first, and the second case involved similar causes of action and similar legal issues;
- The case was initially structured using the “virtual law firm model” that was successfully used in the first;
- We immediately set out to establish a strong case management order to create a strong structure for the case; and
- We started out using the LMP<sup>2</sup> tool to track and coordinate case activities.

Unfortunately, the implementation of this management scheme was challenged by changing circumstances. During the first four years of the litigation, there were four different in-house counsel who were charged with day-to-day responsibility in the case. During this same period, there were major changes in the complexion of the outside lawyers who were involved in the case. And, perhaps most significantly of all, the judge in the new case was of a completely different character from that of our first judge. So where the first case was characterized by discipline and predictability, the second case was characterized by a constant state of flux and an inability to keep issues resolved.

By the fifth year of the case, two of the three firms who were originally involved were gone, the third firm was relegated to a minor role, and a new firm was handling the vast majority of the work. This lent the case a much more monolithic appearance than the “virtual firm” in the first case. There seemed to be a number of advantages to this state of affairs. There was, for example, less uncertainty as to which firm was doing what, there were not the same communication and authority challenges that had been faced by the virtual firm, and the vast majority of the budget performance responsibilities

resided within a single firm.

As things turned out, however, this seemingly simpler, monolithic structure lulled us into complacently thinking that case management was not a significant cause for concern. Things progressed more or less satisfactorily until we got to within a year of trial. Then, in the course of a single year, we went from being within budget for the first six months of the fiscal year to 50 percent over budget by the end of the year—and we never really saw it coming. What happened?

Several things. First, the judge’s management of the case made the workload highly unpredictable, with issues being very stubborn to come off the table and plaintiff instigating constant surprises that required response. This proved an increasing strain on our basic ability to anticipate the coming workload and ultimately rendered LMP<sup>2</sup> an empty exercise—at least insofar as it was intended to function as a planning and budgeting tool.

Second, the monolithic staffing of most of the tasks within a single firm served to break down the hierarchical task management structure that was inherent in the “boxes” approach in Case #1, and resulted in this structure collapsing back into the highly informal matrix structure inherent in the Thousand Points of Light Model.<sup>2</sup> This makes cost control quite difficult, if not impossible.

Finally, for reasons that were idiosyncratic to the lawyers involved, we relieved lead trial counsel of the responsibility for day-to-day case management matters and gave those responsibilities to the billing/relationship partner (who otherwise had no direct line-responsibility in the case, as far as the other lawyers working on the matter were concerned). In hindsight, this fragmenting of responsibilities served to create additional management challenges that we did not adequately address. Most significantly, it seemed to shift direct responsibility for cost management away from the attorneys involved in the matter and turned it into an ancillary administrative function. As it turns out, lawyers like to ignore administrative types.

Probably the best way to achieve cost control in complex litigation is to make it the direct personal responsibility of every lawyer billing to the matter, but in any event it needs at a minimum to be the responsibility of the lead trial counsel.

As a result of my experiences in Case #1, I had seen that large, complex cases could be managed

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- 2004 ACC/Serengeti Managing Outside Counsel Survey Report, “Assessing Key Elements of the In-house Counsel/Outside Counsel Relationship,” table of contents and order form available on ACCA Online<sup>SM</sup> at [www.acca.com/Surveys/partner/2004/toc.pdf](http://www.acca.com/Surveys/partner/2004/toc.pdf).
- *Alternative Billing*, an ACC InfoPAK<sup>SM</sup>, available on ACCA Online<sup>SM</sup> at [www.acca.com/protected/infopaks/billing/INFOPAK.PDF](http://www.acca.com/protected/infopaks/billing/INFOPAK.PDF).
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- Teresa Kennedy, *In-house and Outside Counsel: The Trust Factor*, ACC DOCKET 22, no. 1 (January 2004): 24-42, available on ACCA Online<sup>SM</sup> at [www.acca.com/protected/pubs/docket/jan04/trust.pdf](http://www.acca.com/protected/pubs/docket/jan04/trust.pdf).
- *Outside Counsel Engagement Letter*, Sample Form, available on ACCA Online<sup>SM</sup> at [www.acca.com/protected/forms/outsidecounsel/engage.pdf](http://www.acca.com/protected/forms/outsidecounsel/engage.pdf).
- Richard C. Stewart II, Neil N. Rosenbaum, and Kenneth R. Schaefer, *Outside Counsel Selection Process: Preparing for Success*, ACC DOCKET 22, no. 1 (January 2004): 44-62, available on ACCA Online<sup>SM</sup> at [www.acca.com/protected/pubs/docket/jan04/selection.pdf](http://www.acca.com/protected/pubs/docket/jan04/selection.pdf).
- *Sample Request for Diversity Data: Hilton Hotels Corp. Guidelines for Outside Counsel*, ACCA 2003 Annual Meeting, available on ACCA Online<sup>SM</sup> at [www.acca.com/protected/forms/diversity/hilton.pdf](http://www.acca.com/protected/forms/diversity/hilton.pdf).

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successfully. Case #2 taught me that my previous success had been as much by accident as by design.

**In-House Observation #3:** Case management by accident is not a reliable business strategy.

From these two experiences, I concluded that we needed to develop a model for case management that helped to explain why Case #1 worked and why Case #2 did not, and that would offer us a way to manage the next case more effectively from the very first day.

The results of my quest can be found in the final part of the Lawyerland trilogy, *Escape from Lawyerland*. That article will discuss how and when to apply the tools of project management in order to successfully—and economically—manage complex litigation.

So stay tuned for the exciting conclusion next month. 📖

NOTES

1. The American Bar Association has developed what it calls the “Uniform Task-Based Management System,” which provides a template for breaking litigation costs down into manageable pieces for costing and budgeting purposes. This system can be found on the ABA’s website at <http://www.abanet.org/litigation/utbms/home.html>.
2. Under this model, which is in effect in varying degrees in every major firm with which I am familiar, each of the thousand or so lawyers in the firm is viewed as an individual profit center who is entitled a level of autonomy that is commensurate with the lawyer’s position in firm’s hierarchy. Each lawyer thus works according to her own lights, with relatively little control over how her work is done. As a result, the partner in charge has little or no control over the level of resources that are being expended. That decision is left to the most junior members of the team, who are the ones doing the brunt of the work. If you’d like a more detailed explanation of this model, see the discussion in James R. Buckley, “Welcome to Lawyerland: Why Even Brilliant Outside Counsel Cost Too Much,” *ACC Docket* 23, no. 1: 22-32 (January 2005).

# escape from **LAWYER LAND**

How the Right Business Tools Can  
Cut Litigation Costs Down to Size

**BY JAMES R. BUCKLEY**, *Associate General Counsel, Lockheed Martin Corporation*

## *THE FINAL INSTALLMENT OF A THREE-PART SERIES.*

Litigation isn't cheap. But you don't want your company's multimillion dollar lawsuit handled by Bob's Shoeshine and Legal Services. You—and your company—want the best legal representation that you can afford.

"Afford," unfortunately, is a relative term that topnotch outside counsel will not intuitively understand without help. For reasons that are explained in Part I of this trilogy,<sup>1</sup> the attorneys in the prestigious firms that constitute Lawyerland have been taught to win at all costs, so they have little sense of how to achieve the best results on a limited budget. And the law firms in Lawyerland are unable to impose constraints that would make their attorneys more cost-efficient, because the high-powered lawyers at all levels within these firms are given great latitude in how to accomplish their tasks. Because of this decentralized, thousand-points-of-light approach, the firms in Lawyerland are largely unable to control how efficiently, or inefficiently, the work gets done.

Thus, if you want to keep your company's litigation costs under control, you need to step up and take command yourself.

That's what I've tried to do, with some success. But I learned the hard way that success doesn't come easy, if it comes at all. In Part II of this trilogy,<sup>2</sup> I provided two case studies about my attempts to manage complex litigations effectively—which produced wildly different results. In Case #1, where I was still groping around for a way to keep costs under control, I managed to create, almost by accident, a number of techniques that allowed me to cost-effectively manage an important and complex lawsuit. With this success under my belt, I applied the same techniques in a subsequent litigation. But in Case #2, I came a cropper. The litigation costs for that suit ballooned with little warning. Clearly, additional research was needed in order to figure out what went right in Case #1, what went wrong in Case #2, and what should be done in order to control future litigation costs.

This article presents the results of my research. It explains the basic techniques of project management and details how—and when—these techniques can fruitfully be applied to manage your company's litigation.







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The opinions expressed herein are those of the author and do not necessarily reflect those of Lockheed Martin.

## HELP FROM LEFT FIELD: DISCOVERING PROJECT MANAGEMENT

I happened to discover project management at a rather ironic moment: when Case #2 was experiencing its major cost overrun. At the time, I was fully engaged in another significant trial, which was outside my normal area of emphasis. The trial concerned the performance of a fixed-price contract for the government, and a significant dimension of the case turned on how well the program at issue had been managed. During the course of the trial preparation and the trial itself, I was exposed to some of the finest program managers in our company, who gave me a tutorial on the art of project management.

As I was exposed to this evidence and this area of discipline, I was struck by how applicable it was to managing large litigation. I realized that project management concepts went a long way toward providing a framework for understanding why some things I had done worked well and why other things had failed. When the lead trial counsel in my new matter said, "Gee, imagine if we applied this program management stuff to litigation," he articulated the very thought that had been forming in my own mind.

So what is "project management"? Probably the best place to start is the definition established by the Project Management Institute, an ANSI-Accredited Standards Developer:<sup>3</sup>

*Project management* is the application of knowledge, skills, tools, and techniques to project activities to meet project requirements. Project management is accomplished through the use of processes such as initiating, planning, executing, controlling, and closing. The project team manages the work of the projects, and the work typically involves:

- Competing demands for scope, time, cost, risk, and quality;
- Stakeholders with differing needs and expectations; and
- Identified requirements.<sup>4</sup>

From a lawyer's perspective, this definition sounds like equal parts jargon and common sense. This may be so, but the key is that it is a *systematized* collection of jargon and common sense. It provides a system for:

- Consciously thinking through the organization's needs that give rise to the project;
- Considering the role of the various stakeholders in legitimizing the project, circumscribing the project's limits, and specifying what outcomes define success or failure;
- Establishing the hierarchy of requirements for the project; and
- Developing phase-appropriate plans for implementing the different aspects of the project (initiation, planning, execution, control, and closure).

Yes, a bright lawyer or group of lawyers eventually might be able to brainstorm a very similar set of concepts. And given enough time, a room full of monkeys might type the entire collected works of William Shakespeare. But the project management literature has already invented this wheel, which is immediately accessible to any lawyer who wants to take advantage of these tools to better serve her clients.

**In-House Observation #1:** When possible, use the wheels already invented by others.

What is the content of the project management discipline? Well, it is beyond the scope of this article to try to teach project management (and I would not be qualified to do so, in any event), but we can touch on a few key points and leave the rest to the reader and the Project Management Institute.

### Requirements

Before you embark on any project, you need to have a sense of where you need to go. There is usually some sort of obvious thing that needs to be accomplished—a primary objective. But this objective, alone, does not tell you all you need to know in order to design and implement a plan for achieving it.

For example, when President Kennedy told the nation that it was an objective of his administration to reach the moon, the Government Services Administration did not run out and start building a really tall ladder in Washington. President Kennedy provided a little more information—he was speaking about space exploration, reaching the moon before the end of the decade, and safely returning the astronauts to earth—but even these additional clues were not enough information to design a project. Instead, a group of technical experts had to be consulted about how the president’s aspiration could be physically accomplished. Then, any number of additional stakeholders had to be consulted to identify subsidiary objectives and constraints. Over the course of time, an increasingly detailed set of *requirements* was elaborated, against which an implementation plan could be designed, implemented, and measured.

**THE COMPLEXITY OF THIS PLAN WILL INCREASE WITH THE COMPLEXITY OF THE UNDERTAKING, BUT IN MOST CASES THE PLAN WILL CONSIST OF AT LEAST THREE INTERCONNECTED PARTS: A TECHNICAL PLAN DETAILING THE PRECISE SCOPE OF THE PROJECT, A TIMETABLE, AND A BUDGET.**

Knowing these requirements and, more importantly, having management buy-off on these requirements are the critical first steps toward successful project management. These requirements will undoubtedly contain information about technical matters, cost, timing, integration with other objectives of the organization, and so on.

**Baselines**

With these requirements in hand and, ideally, documented, the project team can then begin to develop a project plan. The complexity of this plan will increase with the complexity of the undertaking, but in most cases the plan will consist of at least three interconnected parts: a technical plan detailing the precise scope of the project, a timetable, and a budget. These interconnected parts form what pro-

ject managers might term the scope, schedule, and cost *baselines*.

These baselines will likely evolve over the course of the project, but they are the fundamental reference against which the progress of the project can be monitored and managed. Their first iteration occurs at the beginning of the project, when the needs and challenges of the project might not be fully understood. But as the project progresses, management may decide to add new dimensions to the project. Costs may have been imperfectly understood at the outset, or may grow for reasons both within and beyond the team’s control. Schedules can be affected by unexpected technical challenges or by external factors beyond the team’s control. In short, it can be virtually guaranteed that the initial project baselines will be living documents until late in the project’s life.

The key to managing these baselines, however, is to

- (a) make them explicit, and
- (b) recognize how they are interconnected.

Your baselines need to be explicit in order for you to manage them. For example, if you have an explicit, detailed project budget, you will have articulated a series of premises on which the budget is based. As you monitor your monthly cost performance, you will be able to see whether you are hitting your projections. But more importantly, you will be able to assess the source of any failure. If your premises are wrong or incomplete, then any excess costs will prove to have been beyond the scope you projected, and you will focus on sharpening your scope analysis. If, on the other hand, your premises remain sound, then you will have to tackle your estimating method or your day-to-day management of activities that generate costs. In any event, your understanding of the case and your ability to forecast costs are likely to improve every month.

If, on the other hand, all you have is a top-line budget figure, then your ability to hit that number amounts to no more than management by good intentions. If you blow your budget projection, you will not be able to figure out where your cost assumptions went wrong, and you will not be able to figure out what steps might bring the costs back into conformance with the projected costs. Instead of gaining increasing insight each month, you will remain consistently ignorant of what drives your costs, and you will have limited opportunities to become more efficient.

With regard to interconnection, a few simple lessons quickly emerge. Seldom will you be able to shorten time, or increase scope, without increasing your costs. Conversely, if you need to cut costs, you will probably impact either scope or schedule or both. And if you try to constrain too many things at once—for example, increasing scope, compressing schedule, and reducing costs all at the same time—you will probably find that your project cannot be done at all.

So, as these baselines evolve, the project manager will have to go back to the project stakeholders to discuss any changes and to get guidance about how to balance any conflicts that might arise. For example, if there is upward pressure on the project cost, yet costs need to remain capped, should the scope of the project be curtailed or should the schedule be reduced? Even in the unusual case of the project manager being empowered to make these choices unilaterally, the manager should rarely exercise that power without the consensus of the stakeholders.

### Change Management

The process of securing consensus suggests another important project management concept: the imposition of a *change management process* on the project. The notion here is that project team members cannot be authorized to make unilateral project changes that affect the project baselines. Any such changes should be brought to project management for consultation with the stakeholders and their approval. Then the authorized changes to the project baselines should be documented in a revised baseline that then becomes the standard for future project activities.

At the end of the day, these tools, together with others that have been developed in the project management discipline, will enable you to complete the project in accordance with the adjusted expectations of the project stakeholders. These tools cannot ensure that the project will be successful. Indeed, the project may fail or be cancelled. But they do give the project manager a fighting chance to make sensible decisions and tradeoffs, to ensure that stakeholders are kept informed about the course of the project's performance, and to manage the project in a way that optimizes its opportunities for success.

So much for the crash course. Now, what does all this mean for lawyers?

### A NEW FRAMEWORK FOR LAWYERS: "THE BASELINE MANAGEMENT MODEL"

To illustrate how project management tools might be applied to a large case, let's consider the following hypothetical: Your client claims a competitor is infringing on a key patent that is critical to your client's business. If you do not defend the patent, your client runs the risk that it will lose an important niche market in its industry (say, a potential \$100 million economic impact over five years). On the other hand, if the competitor were willing to pay—and your client were willing to accept—a licensing fee, this might be worth \$5 to 10 million per year. Given these facts, how might we apply the principles discussed above?

### **THE NOTION HERE IS THAT PROJECT TEAM MEMBERS CANNOT BE AUTHORIZED TO MAKE UNILATERAL PROJECT CHANGES THAT AFFECT THE PROJECT BASELINES.**

First, let's start with some hypothetical requirements. (If you cannot think beyond the facile "win the case," you will be in trouble.) With very little effort, after engaging your stakeholders in further conversation, you might come up with a few simple guideposts:

- The Legal Department is to litigate this dispute to defend the client's IP position to a satisfactory conclusion in U.S. District Court, going to trial if necessary.
- A satisfactory conclusion would be either upholding the client's patent and securing a permanent injunction against the defendant, or negotiating a reasonable licensing fee.
- The amount the company is willing to expend to vindicate its position is at least \$10 million over the life of the litigation (based on a benchmark of 10 percent of the amount at issue), but could be as high as \$25 million under certain circumstances (for example, if the litigation ends up turning on a principle that is uniquely important to the client). In no event may Legal spend more than \$5 million per year in defense costs.

- The time to decision is unimportant, so long as a preliminary injunction can be secured against the putative infringer and the total cost of defense does not exceed the \$25 million limit.

Although these objectives are reasonably bare bones, they do touch on the key elements that make up what will be the three key baselines of the project: scope (litigation to trial in U.S. District Court), schedule (conceivably up to five years, based on funding limitations), and cost (not to exceed \$5 million per year or \$10 million in the aggregate, with a possible expansion to \$25 million if specifically authorized by the client). By starting with these ends in mind, more detailed requirements can be fleshed out by the legal team, including staffing ideas, case structure, and so on. Agreeing on these requirements up front will make all the difference in getting all your stakeholders on the same page.

**In-House Observation #2:** Start with the end in mind. Securing agreement up front with stakeholders about key case objectives will help flesh out requirements and create a backbone for structuring your case.

Once you have agreement on your case requirements, you can begin mapping out your plan for fulfilling those requirements. The larger the litigation and the more important it is, the more complex your plan will likely be.

In most cases, lawyers do not have a written plan at all. They have little more than some sort of informal agreement with the client that articulates a rough estimate of the project cost, perhaps a rough time scale... and little else. While this may be fine for small matters, such a simplistic approach just sows the seeds of future discord in a larger case. Because once the case starts taking unexpected turns (and large litigation always does), the informal estimates go out the window. Outside counsel is then left with a mangled set of requirements and a wounded plan for accomplishing them. The parties have virtually no foundation for rationally discussing the relationship between the changes in the case and the changes in cost and/or schedule. The case is now ripe for further rude surprises and misunderstandings, and outside counsel is rightfully vulnerable to complaints from the client that coun-

sel's reactive approach is not sound management.

A more formal plan, however, can be a living document that enables the lawyer and client to discuss how unexpected developments will affect the course that has been agreed upon. In the project management world, a full-blown plan may have many component parts, including subplans relating to scope, schedule, cost, project integration, quality, personnel, communications, risk management, and procurement.<sup>5</sup> This level of elaboration may amount to overkill, even for large cases, but most cases are readily amenable to the development of scope, schedule, and cost baselines. What might these look like?

### Setting the Cost Baseline

The most familiar baseline will be the cost baseline, which in effect is a case budget. Budgets come in many forms, but every case must have some formal agreement on costs.

At one extreme, the client could agree to merely pay the outside counsel's hourly rate for whatever level of effort is required. This may sound like an unlimited budget, but it is not. The client will generally have some sense of how much it should cost and will presumably receive monthly bills. If counsel exceeds that estimate by an order of magnitude, there *will* be problems at billing time. Usually there is at least an implicit limit (e.g., \$10,000 plus or minus 30 percent). Sound management and good client relations suggest that this understanding be made explicit.

Another approach is the cost cap (e.g., "not to exceed \$75,000"). And there are an infinite variety of other budget/fee agreement approaches, including blended rates, partial caps, contingency fee, risk sharing, incentive-fee arrangements, and so on. The right one for you in any given case will depend on the matter, the lawyer, and the client.

All of these budget/fee agreements are helpful in terms of conditioning expectations, but they are of limited usefulness as management tools unless they give some insight into the workings of the case. For this purpose, the budget will need to have additional detail about the work to be performed. At a minimum, you will want to use something like the ABA-recommended billing task codes.<sup>6</sup> In complex matters, you will want something even more detailed, something that directly ties into the other baselines, as discussed in the next section.



### Setting the Scope Baseline

What is the scope of your litigation project? This is probably the single most important question in managing your litigation, because it has a critical relationship to how much you are going to spend and how you need to manage all of the components of the litigation process.

If you are the plaintiff, you will be in the driver's seat unless you provoke an aggressive counterclaim or cross-claim. The scope will then be dictated only by the scope and cost requirements you established with your stakeholders when you decided to proceed with litigation.

If you are a defendant, your job is much trickier, since you will have to anticipate—at least to some degree—the type of case your opponent will put on and the type of proceedings the court is likely to approve.

In any event, one effective approach to developing a useful scope baseline is to prepare, at the beginning of the case, a preliminary (but detailed) trial outline. This will help you to think through the elements of your case and the evidence that you will need to develop for the trial, as well as the sequencing of activities and the application of resources necessary to pull your case together in a logical way. You will need to augment this planning with a preliminary survey of your discovery universe, so that you can realistically allocate resources to cover both your offensive and defensive discovery requirements.

This may seem like a great deal to do at the beginning of the matter, and it may involve a certain amount of guessing or decision-tree analysis as to different directions the case might take down the road. But it is never too early to start getting a handle on these issues, and this analysis can assist you in your early evaluation of the case and of a settlement position. Further down the road, this analysis will help you to better prioritize your use of resources, and it will provide a vehicle for discussing how later developments reflect on your original assumptions about the case. Finally, it will inform your discussion about whether your cost performance is being driven by bad assumptions, bad estimates, or genuine changes to the scope of the representation.

### Setting the Schedule Baseline

Your case requirements may include specific time constraints. For example, in our hypothetical, we needed to enjoin the alleged infringement prior to our

own product launch. In your own practice, you may want to resolve a piece of major litigation prior to an anticipated transaction, or you may simply be working with something like California's five-year rule.<sup>7</sup>

Whatever the source of the requirement, it will help set some of the boundary conditions for your schedule baseline. The simplest schedule baseline can then be constructed by using the procedural rules in your jurisdiction for the timing of discovery, pretrial, and trial events, as informed by your scope baseline. More complex baselines will derive from detailed case scheduling or case management orders issued by your judge.

**In-House Observation #3:** Trial outlines (prepared at the inception of the case), detailed case management orders, and detailed budgets logically form a ready set of scope, schedule, and cost baselines.

### Managing with the Baselines

Now that you have these baselines, what do you do with them? You manage to them, which will include, at a minimum:

- Getting not just agreement, but complete commitment, from outside counsel concerning your requirements for the case;
- Getting counsel to buy off on the baselines that are built from the requirements, and counsel committing to managing the case against these baselines;
- Having an agreed-upon process for controlling the content of the baselines (a change management process), so that the baselines are not changed merely to conform to events, and so that scope (and, therefore, cost) is not increased without client approval;
- Having counsel periodically report on how they are performing against the baselines (perhaps even provide formal "project reviews" with key members of the team), so that problems can be identified and addressed before they become too severe;
- Finally, consider amending the baselines or even the underlying requirements to account for changed circumstances. As part of this process, reengage your stakeholders to assure continuing consensus on the course of the matter through completion.

These baseline measures are not necessarily self-implementing. For example, the fact that counsel



exceeds the cost baseline does not necessarily trigger any specific repercussions unless your billing guidelines or other arrangements specifically so provide. But the cost baseline does become, in effect, part of your fundamental agreement with outside counsel about the representation.

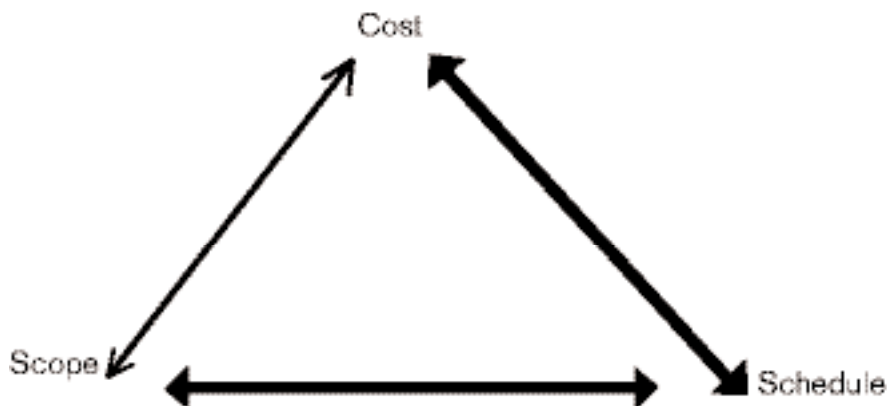
The baseline tools should give you, at a minimum, a better understanding about why the legal costs are what they are. If you are receiving unexpectedly high bills from your counsel, this may be caused by simple billing guidelines issues, but it is just as likely that the bills indicate some challenge to your scope or schedule assumptions. By articulating these baselines, you will have a better chance of perceiving their interrelationships, balancing them, and making conscious decisions about tradeoffs. So, for example, if your opponent embarks on an unexpected series of *Daubert* or *Kelly-Frye* motions to challenge expert testimony, you will want to consider your response in light of not just this change in scope but also in terms of the change in cost and the change in schedule. A suggestion by counsel about a brilliant bit of increased scope in one area may turn out to dramatically decrease costs in another area, or it may blow up your schedule vis-à-vis some client-critical date. By looking at all of the pieces and the interrelationships, you will make better case management decisions, and you will ultimately manage your case in a more cost-effective way.

In trying to educate me about baselines, one of my business people once told me to think of the trio of scope, schedule, and cost baselines as being a three-legged stool, which in this context I will call the Baseline Management Model (see Figure 1).

The effect of these interconnected relationships is that you cannot change any one of the legs without affecting the other two. Thus if you insist on increasing the scope of a project, you will very likely impact both cost and schedule. So, for example, in the hypothetical intellectual property case discussed above, if we decide to increase the scope of our litigation by turning our simple case against one potential infringer into multidistrict litigation involving multiple infringers, you can readily imagine that the cost of the litigation would balloon, as would the time needed to achieve resolution. Similarly, if you try to compress the schedule of a project, you may well find that you need more personnel to meet the shorter deadline, which in turn may create inefficiencies that lead to increased costs. So, as a rule, you can see that material changes to one baseline will generally create effects on the other baselines that must be assessed and addressed appropriately. Failing to appreciate this can result in the whole project falling out of balance and becoming impossible to implement.

The easiest way to manage these relationships is to decide that one leg of the triad is controlling. In

FIGURE 1: BASELINE MANAGEMENT MODEL



bet-the-company litigation, this might be scope; for a matter that is constrained by available funds, this might be cost; where the client is determined to go to trial by a certain date, this might be schedule. If you allow one dimension to dominate case management, the other dimensions will merely float—usually inefficiently—to accommodate the controlling dimension. But these are the easy cases.

Managing gets hard in the most common case, where scope is fixed, schedule is fixed, but cost needs to be reduced. To achieve this result, you must understand how the work needed for a specified scope translates into costs. And lawyers, in general, have little knowledge in this area.

**IF YOU ALLOW ONE DIMENSION TO DOMINATE CASE MANAGEMENT, THE OTHER DIMENSIONS WILL MERELY FLOAT—USUALLY INEFFICIENTLY—TO ACCOMMODATE THE CONTROLLING DIMENSION.**

What most lawyers do, if required to provide a budget for a particular scope of work (whether for a case as a whole or for major components of a case), is to use their experience in addressing similar problems in the past to estimate the level of effort that will be required to achieve the desired scope. The calculation might be something like this: fees based on four months of activity involving one midlevel partner (one-third time), two senior associates (one at full-time, one at half-time), and one junior associate (three-quarters time); disbursements equal 6 percent of fees.

This is fine for estimating fees up front, but it does not provide a model for managing the matter during its execution. The partner-in-charge will normally have a monthly record of the hours being billed to the matter, but at best this is an informal check on how work on the matter is progressing. If, at the end of the matter, costs end up exceeding the estimate by 50 percent, the partner will likely have little notion of what caused the overrun—apart from anecdotal information provided by attorneys billing time to the matter. At the end of the day, in Lawyerland, the partner

may write some of the time off the bill, but most likely the partner will invoice the entire amount to the client. In a large matter, or aggregated over a number of matters, this kind of performance can drive in-house counsel crazy.

**ANALYZING THE COMMON TECHNIQUES FOR COST-CONTAINMENT**

What do in-house counsel do in the real world to constrain the fees of outside attorneys? Complain, mostly. But, in-house counsel increasingly are resorting to such methods as:

- creative fee arrangements,
- consolidation (reducing the number of firms used by the client),
- budgets,
- outsourcing parts of the work,
- early case evaluations/settlement,
- alternative dispute resolution,
- task-based billing, and
- legal auditing.

Each of these cost-containment measures fits comfortably in the Baseline Management Model that we have been developing, as shown below.

**Creative Fee Arrangements and Consolidation**

Two of the listed techniques—creative fee arrangements (whether capped fees, contingencies, partial contingencies, other incentive structures, reverse auctions, or flat discounts) and, to some extent, consolidation—are generally viewed as risk-spreading devices. In exchange for the award of a significant piece of business, the outside law firm takes on a certain amount of financial risk, and the risk of the client is commensurately reduced.

The truth, however, is that these measures are really the client's declaration that it is too difficult to manage outside counsel's activities, so it is trying to incentivize counsel to better manage itself. The client is pressuring outside counsel to tackle the complex relationship between the cost and scope baselines, and is effectively outsourcing to outside counsel the headache of understanding and managing that relationship.

If we assume that counsel will act rationally to maximize its profit, then it follows that counsel will find its own ways to make its representation more economically efficient. In theory, everybody wins. The client

pays less (in total dollars) and has more certainty about its costs. Counsel wins business and makes as much profit as squeezing its marginal costs allows.

In practice, this is not always the best approach. Outside counsel do not have a great deal of confidence that they can competently manage their costs, so discounts are often skimpy, and counsel are as likely to cut muscle as fat in trying to contain their costs. As a result, the client still does not know whether it is getting the best bang for its buck.

Still, for some matters, these are effective tools. The best candidates are probably instances where counsel is handling litigation of a recurring nature (for example, insurance claims and perhaps asbestos litigation) where outside counsel is likely to have detailed track-record information about case costs. Not surprisingly, these are cases that start to look like commodity litigation where Lawyerland abuts reality.<sup>8</sup> Another instance occurs when in-house counsel has worked with a particular outside counsel enough to know that she is the rare denizen of Lawyerland who actually demonstrates a sound grasp of her cost structure. As a rule, you can probably take a cue from outside counsel: If they think they can handle it, let them try. Just be sure to monitor the experiment closely to make sure the lab doesn't blow up.

### **Budgets**

As we have already discussed, the use of budgets is a direct attempt to manage the cost baseline. If budgets are coupled with provisions in the client's retainer agreement that discipline the firm for exceeding the budget agreement, the effective use of budgets can help to contain costs.

However, in my experience, law firms hate budgets because they are often viewed as unrealistic or as invitations to haggle over bills.

Budgets can be a useful tool for getting the parties on the same page, but as commonly used, they usually are not a real solution to case management of big cases in Lawyerland. Unless a budget is detailed enough to provide insight into that critical relationship between cost and scope, a budget cannot help you understand or manage what is going on in a case.

### **Outsourcing, Early Case Evaluation/Settlement, and ADR**

Outsourcing portions of a case—whether by out-

sourcing basic legal research or by hiring temporary contract attorneys—is an explicit attempt to contain cost within a fixed scope baseline. This approach assumes that outside counsel is not the lowest-cost provider of certain services within the scope of the matter, and therefore removes these services from the Lawyerland firm's purview and gives them to a more efficient provider.

It is sometimes difficult to make the business case for this approach, since splintering the team creates certain inefficiencies that could eat up the cost savings generated by outsourcing. But where the business case can be demonstrated, the approach is worthwhile.

Early case evaluation and the use of ADR are also attempts to tackle the scope baseline. Economy can be maximized if the client can push the dispute onto a track that allows it to learn about the risks inherent in its objectives, while at the same time avoiding the most costly approach, formal trial. Thus, these devices are ways to eliminate formal trial from the scope of the representation.

### **Task-based Billing and Legal Auditing**

These two devices are explicit attempts to manage the relationship between scope and cost. Task-based billing could simply be used for building (hopefully) more accurate budgets, but its greater value is in comparing the task-based breakout of each month's bill with the assumptions that went into the budget in the first place. This can create a dialogue between counsel and client on how money has been spent and how future spending should be prioritized.

Legal auditing might be viewed as outsourcing the task-based approach. A third party is hired by the client to review each month's legal bill in order to determine whether there is a satisfactory correlation between the value of the work performed and the sums paid. But as the chief value of the task-based approach is to create a dialogue between client and counsel on how money is being spent, it would be preferable to eliminate third parties from this critical dynamic and eschew third-party auditing in favor of task-based billing. But, as in any outsourcing decision, there is a simple business case to consider: perform a cost-benefit analysis of doing the audit with in-house personnel (recognizing especially the opportunity costs of diverting scarce

in-house resources to this effort) and compare it to the cost-benefit analysis of outsourcing this work to a legal audit firm (recognizing especially the inefficiency of having strangers come up to speed on your matter, as well as any intangible impacts on the quality of your relationship with outside counsel once you bring outsiders into the mix).

### A CLOSER LOOK AT THE CASE STUDIES

Of the various techniques discussed above, only task-based billing was used in both of the two case studies presented in Part II of this trilogy. To learn why that technique worked well in Case #1 and failed miserably in Case #2—and to see if there are any other lessons to be learned about case management—let’s examine what happened using the tools of the Baseline Management Model.

In Case #1, the tools used to manage the case included:

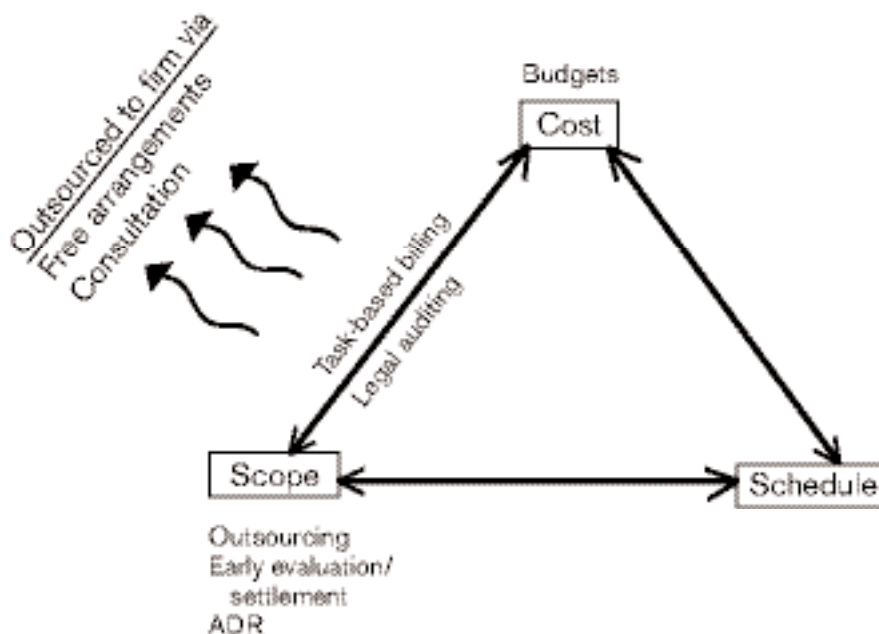
- (1) a detailed budget built around task-based billing;
- (2) a detailed (and early) trial outline;
- (3) an organizational chart whose boxes indicated which partners at which law firms would be responsible for specific aspects of the case;
- (4) a detailed case management order entered early in the case; and
- (5) the LMP<sup>2</sup> case management tool<sup>9</sup> that specified what tasks needed to be done when.

Mapping these elements on the Baseline Management Model, we see the following:

All three of the by-now familiar baselines of cost, scope, and schedule were fully documented in detailed plans that were the starting point for managing the case. In addition, there was a detailed organizational matrix that might be characterized as a fourth baseline, conceptually connected to each of the other three.

Case #1 also used several other case management techniques, including monthly budget reports track-

**FIGURE 2: PLACEMENT OF TRADITIONAL MATTER MANAGEMENT TOOLS ON BASELINE MANAGEMENT MODEL**



ing actual costs against planned costs for all task-based codes; an organizational matrix that established detailed areas of accountability both as to scope and cost issues for teams of lawyers working on the case; and monthly program review meetings in which scope, schedule, and budget status were systematically reported on and discussed. In short, without appreciating what we were accomplishing, we had fully formed, fully integrated, and fully implemented functional project management for this major case.

In Case #2, we started out with the best of intentions and initially implemented most of the project management tools developed in Case #1. We had a case management order, a trial outline, and a budget to form the documentary foundation for our three baselines, and we created a version of LMP<sup>2</sup> for the new case. But, as discussed previously, at this point things began to break down.

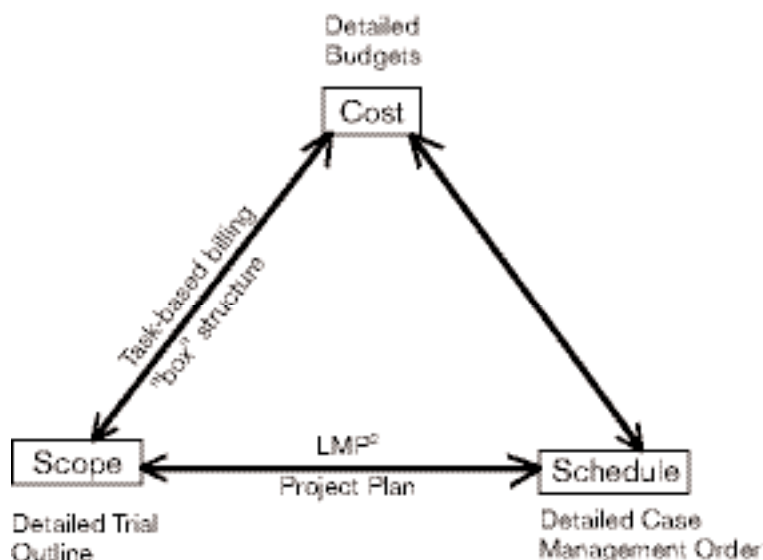
In contrast to Case #1, where the project scope was clearly defined by the court's case management order and the early trial outline, the project scope of Case #2 kept changing because the case manage-

ment order proved to be less than reliable. During the seven years of the litigation, there were no less than six different case management orders and nearly 150 separate reports by the discovery referee. This constant flux in the scope baseline drove the team into a highly reactive dynamic that impaired efforts to manage the scope baseline and to integrate it with the early trial outline. The reactive dynamic led to more and more personnel being thrown into the mix to manage the various crises *du jour*. Not until several months before trial did the landscape become clear enough for a sense of rational planning to be restored.

With the scope baseline thrown into such chaos by the court's management of the case, it was inevitable that the cost baseline would be dramatically affected. Preliminary assessment suggests that the actual cost of defending the matter ran at double the cost baseline during the 18 months prior to trial.

There was, moreover, a second reason why our legal costs ballooned. Our project budgeting devolved from a task-based, brick-by-brick process into a pick-a-number-and-pray approach that is all too typical of

FIGURE 3: CASE #1 MAPPED ON THE BASELINE MANAGEMENT MODEL



litigation management efforts. Without the detailed buildup of the budget, there was no effective way to monitor and manage the budget on a month-to-month basis. When the word went out that budget performance was in crisis, the lawyers working on the matter lacked an organizational structure that would permit them to figure out where the problems were or to have a meaningful dialogue on scope tradeoffs that might mitigate the cost overruns.

With nine months to go before trial, the case required dramatic intervention to restore an appropriate level of management control. And so, for the first time, we evaluated the status of the case *explicitly* in project management terms.

## **CASE #2: THE RESCUE**

With time running out in Case #2 and costs spiraling out of control, we turned to the Baseline Management Model. This gave us an objective set of issues on which to focus and helped to prevent this management crisis from degenerating into a wholly unconstructive conflict between in-house and outside counsel.

We recognized that the case's ballooning costs were being driven by scope problems caused by the court's management of the case, and agreed that the problem had been made worse by the thousand-points-of-light approach to which the law firm had reverted. Following several meetings to fundamentally rethink the project management challenges that faced us, we came up with a recovery plan.

First, we added to the team a lawyer who happened to have a management consultant background and who was familiar with project management principles.

Second, we decided that although the approaching trial date constrained our freedom to restructure, there were nonetheless several steps that we could take to reassert control of the case. We began by creating an internal hierarchy, where associates were explicitly assigned to a small team of partners who were responsible not just for the work to be done but also for how the work would be done and how much it would cost. This created a series of feedback loops within the legal team, so that the entire effort could be conformed to the case objectives—nailing down the relationships among scope,

budget, and actual cost and thus defusing the thousand-points-of-light problem.

In addition, outside counsel embarked on a crash project to assess the current state of the litigation and the budget, to survey the tools that were in place to manage the litigation and control the budget, and to develop new tools to accomplish these tasks.

While new tools were being developed, the law firm reimplemented a form of task-based budgeting and monthly reporting. This restored visibility to the detail of the work being performed and created opportunities to manage that work against available funding.

Although the chaos that existed in the case in its middle years had thwarted the use of LMP<sup>2</sup>, at this point the nearness of trial enabled us to reinstitute a similar system called the Litigation Task Structure. This served the same function as LMP<sup>2</sup>. It was a management plan that tied together scope, schedule, and budget, but it was very narrowly tailored to the tasks remaining in the case, and it was more explicitly patterned after the type of "work breakdown structure" with which project management professionals are familiar, rather than on an ABA-type task-code structure.

Finally, the firm took aim at the growth in case personnel, effectively slashing in half the number of lawyers working on the case.

The jury is not yet in, so to speak, on the effectiveness of these recovery measures, but I am confident that the Baseline Management Model is providing us with a sound foundation on which to build our understanding of what our challenges are and where our solutions lie.

## **A TEMPLATE FOR CASE MANAGEMENT**

Yes, the Baseline Management Model provides useful insight into how we in-house counsel should think about managing all of our cases. But the most full-blown applications of this model (as just illustrated in the two case studies above) are appropriate in only the most significant and complex matters. What about the rest of our docket? I suggest the following as one reasonable template for differentiating among cases and determining the appropriate level of project management infrastructure.

Your approach to this template might be different, but five points ought to remain constant:



## A NEW APPROACH: THE CASE MANAGEMENT TEMPLATE

CASE TYPE	BUDGET APPROACH	SCOPE	TIME	COMMENTS
<b>Small, episodic</b> (<\$25,000 in fees)	Hourly rates; not-to-exceed limits	Parties agree to general description, subject to further direction based on monthly invoice	Renewable annually	Perhaps the majority of cases
<b>Modest</b> (\$25,000-\$100,000 in fees)	Level of effort plus/minus 10%, with cap; articulate major budget premises	Articulate specific objectives and discuss general means of accomplishing them	For a specified term, with optional extension	
<b>Moderate</b> (\$100,000-\$1M in fees)	Above a certain dollar threshold, require a detailed, task-based budget; consider fee arrangements that would incentivize firm to implement management controls	<ul style="list-style-type: none"> <li>• Articulate specific objectives</li> <li>• Establish more detailed requirements</li> <li>• Conduct periodic reviews of requirements and performance history</li> </ul>	Project-based, with built-in checkpoints	Require firm to develop and implement an affirmative, project-oriented, case management plan
<b>Major</b> (>\$1M in fees)	Detailed, task-based annual budgets, with notional budget for entire case—from inception to completion; as significance and complexity increases, move toward budgeting based on a breakdown of the work to be done	Move toward formal scope baseline with a detailed task structure that implements detailed requirements; hold periodic project reviews addressing interrelationship among cost, scope, and schedule; consider adding additional baselines to the extent needed	Move toward formal schedule baseline based on court's case calendar and a project schedule mapped from case task structure	Close client involvement and oversight, but firm required to implement agreed-upon management scheme

- Be proactive;
- Be explicit;
- Think in terms of the three principal baseline dimensions (cost, scope, and schedule);
- Tailor your approach to the size, complexity, and other requirements of each individual case; and
- Remember, it is your client's money; spend it as if it were your own.

## IF YOU TRY SOMETIMES, YOU GET WHAT YOU NEED

The purpose of this trilogy has not been to say that the practice of law and the management of a business are the same thing, but rather to challenge the assumption that they are completely different all the time. Lawyers are famous for their ability to take a precedent from one context and creatively apply it to another. This is a gift of insight. But professionals who are so skilled in the nimble application of legal principles should not be so hidebound in how they manage the client resources they consume.

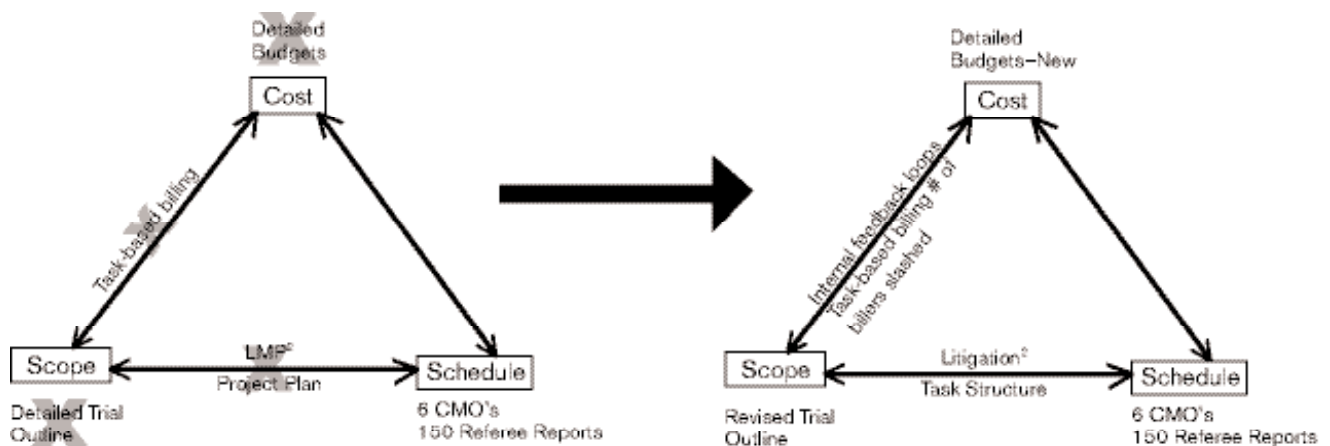
This is particularly true because, in contrast to most modern businesspeople, lawyers have a fiduciary relationship with their clients. Lawyers are required to act in the utmost good faith in the best interests of their clients. Given this fiduciary relationship, lawyers who engage in complex litigation, which consumes significant amounts of their clients' resources, must pay particular attention to the sound and thrifty management of those resources.

I submit that this is especially true of those lawyers who are privileged to practice in the high-flying firms that make up Lawyerland. At the rates charged in Lawyerland, its residents are being paid to know more than their clients, and their fiduciary duty com-

pels Lawyerlandians to exercise that knowledge to the benefit of their clients. In other words, the fact that clients may not be sophisticated enough to demand the implementation of sound project management discipline in major matters does not relieve Lawyerland firms from their fiduciary duty to implement such sound financial and project management principles as prudence requires. Law firms that consider themselves to be among the top firms in the country should take this both as a challenge and a special responsibility.

As for in-house counsel, I think we spend too much time protecting ourselves from the "encroachment" on our prerogatives by our business people. Yes, the Law Department occupies a unique place within the business organization, and some prerogatives need defending. But at the same time, we need to accept that we are in the collision zone between being part of the legal community and our client's business team. Satisfying our dual obligations is often a difficult task, but we should embrace this challenge more courageously. We should learn from our clients and educate our outside counsel (or at least make them more accountable) whenever possible. It is not enough merely to complain about high outside counsel bills or to require blanket discounts

### FIGURE 4: CRISIS AND RECOVERY BASELINE MANAGEMENT MODEL ANALYSIS



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or bill cutting. We must *manage* outside counsel in the management of our collective client's resources.

Finally, when it comes time to retain outside counsel for a new matter, we should inquire aggressively into this aspect of the representation. For myself and my client, sound business discipline—and especially project management—will become an explicit selection criterion. If all in-house counsel do this, our outside law firms *will* respond. ❏

#### NOTES

1. James R. Buckley, "Welcome to Lawyerland: Why Even Brilliant Outside Counsel Cost Too Much," ACC DOCKET 23, no. 1 (January 2005): 22-32.
2. James R. Buckley, "Adventures in Lawyerland: Part 2, Cautionary Tales of Managing Complex Litigation," ACC DOCKET 23, no. 3 (March 2005): 78-84.
3. The American National Standards Institute (ANSI) is a private, nonprofit organization that administers and coordinates the U.S. voluntary standardization and conformity assessment system, and serves as the U.S representative to the International Organization for Standardization (ISO). See ANSI's website at [www.ANSI.org](http://www.ANSI.org).
4. PROJECT MANAGEMENT INSTITUTE, A GUIDE TO THE PROJECT MANAGEMENT BODY OF KNOWLEDGE, 2000 EDITION (PMBOK® GUIDE) (2000) (ANSI/PMI 99-001-2000), at 6.
5. The PMBOK Guide breaks project management into these nine subjects or "knowledge areas." See PMBOK GUIDE, *id.* at 7-8.
6. The American Bar Association has developed what it calls the "Uniform Task-Based Management System," which provides a template for breaking litigation costs down into manageable pieces for costing and budgeting purposes. This system can be found on the ABA's website at <http://www.abanet.org/litigation/utbms/home.html>.
7. Under California law, a civil action must be brought to trial within five years of its filing. [cite to Cal. Civ. Proc. Code]
8. *Lawyerland* part 1, ACC DOCKET 23, at p. 23.
9. Short for Lockheed Martin Project Plan, this master project management plan was created by melding the case management order with the list of tasks that needed to be done in order to handle the matter through trial.

JAMES R. BUCKLEY is a vice president and associate general counsel for Lockheed Martin Corporation in Bethesda, MD. He serves as the company's chief environment, safety, and health counsel, and manages other complex litigation matters. He has a JD from the University of Southern California (Order of the Coif) and a BS in chemical engineering from the University of Rochester. His previous experience includes work as a lawyer in a major firm in Los Angeles, and work in the chemical industry as a process development engineer.

Buckley's litigation practice includes a variety of state, federal, and administrative forums, and he par-

ticipated in amicus curiae briefs filed by Lockheed Martin in the US Supreme Court's recent environmental cases, *Cooper Indus., Inc. v. Aviall Serv., Inc.* and *United States v. Atlantic Research Corp.* He is the author of a series of articles previously published in the ACC Docket: "Welcome to Lawyerland—Why Even Brilliant Outside Counsel Cost Too Much" (January 2005); *Adventures in Lawyerland—Part 2: Cautionary Tales of Managing Outside Counsel* (March 2005); and "Escape from Lawyerland—How the Right Business Tools Can Cut Litigation Costs Down to Size" (April 2005).

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*Tips & Insights:*

## Managing the Outside Counsel Relationship with James R. Buckley

If in-house counsel had to write a help wanted ad for an outside firm, it might sound something like this: "Help Wanted—good, reliable, outside counsel for in-house law department. Should be reasonably priced and possess good communication skills." Because in-house counsel are often legal generalists, the need for someone with specialized expertise may often arise in the law department. James R. Buckley has had to venture into the outside counsel world to find talent to assist Lockheed Martin in a few legal matters—a process that, like the beginning of all significant relationships, requires good communication right from the start.

"The idea of 'partnering' with outside counsel connotes a long-term relationship with a particular firm where you know each other well and you're sharing certain common objectives. And like any relationship, it is important that they understand your company, and that you are able to communicate with each other. It is easy to be reactive to a certain is-

sue, but they need to take the time to understand your docket as a whole, as well as what your objectives are," Buckley said.

He goes on to say that miscommunication between the in-house law department and the outside firm can lead to one or both parties not really understanding all of the issues at hand. "There's very little chance that the law firm that you're partnering with understands those issues you assume they understand. You need to really take some time to find out what the shared perspective is. In other words: What's your company about, and what are the law firm's interests and motivations? And then you need to figure out how you converge on a common understanding of what you're trying to accomplish."

Once an understanding has come about, Buckley says that the in-house attorney needs to figure out how to take the law department's work and break it up into pieces that can be discussed with an outside firm. "Finding that shared perspective and talking about

the appropriate segment of your work with the right firm—those are the keys."

Working with outside counsel is going to bring about certain issues, including concerns over process and costs. "We had a major firm that we were doing some very significant litigation with and they were handling several matters. As we all know, litigation always gets expensive and it can often cost more than you expect. Once you start getting oversight scrutiny on how much you're spending, everybody starts to act under the pressure of the moment. We found that we needed to stop and actually gather the key partners from the firm, as well as the key players in the representation, for a day and a half retreat. We went back to the basics and educated the firm about our business—life as a government contractor, which is Lockheed Martin's station in life—because there are aspects of that reality that drive business decisions and certain attitudes. This allowed us to explain why things needed to be done in a particular way."

During this particular partnering, Buckley and his team were able to go through the basics of life as a government contractor and their annual budgeting and pricing cycle. This helped the firm understand why, during the budgeting process, Lockheed Martin was requiring them to do certain things, and where the timetable came from. Perhaps most importantly, it explained to outside counsel the business drivers for why it is important to the company to get the budget numbers as close to correct as possible—neither too low nor too high.

“It was taking that time to get to know each other at a level that’s different than just picking up the phone and calling the hired gun.” Buckley’s team had a follow-up session with the firm, which allowed both parties to understand each other’s operations and timetables better. “We have developed a long-term relationship, which we had before, but this process made the relationship so much more meaningful and stronger,” he said.

Lockheed Martin, like many companies, benefits from outside counsel relationships. According to Buckley, there are obvious advantages to these relationships.

“We all like to think that, as well-qualified lawyers, we can handle anything that comes our way. However, there are certain things that require an expertise, additional manpower, or further geographic reach than what we can realistically bring to the table as in-house counsel. And just as importantly, there are times when the matter is so important that you need both a reality check and, as I like to refer to it, a kind of malpractice insurance that comes along with bringing in the best and the brightest to confirm or shape your view on what is the right approach to an issue.”

There are two sides to every coin, and therefore there are also disad-



### **Most Valuable Lessons Learned That I Still Apply Today**

When you work at a big company with a large legal spend, it’s easy to think about your budget as someone else’s money. The key is to think of it as your own money. Would you be spending the money in the same way if it were coming out of your pocket?

### **Most Pivotal Career Move**

Moving in-house. Some people may enjoy being a hired gun, but I much prefer being part of a dedicated team who sees things through from start to finish. I also enjoy being freed up from the billable hour—you have more of an opportunity to spend that time on things you think are important, even if they’re not billable.

### **Advice for Fellow In-house Attorneys**

It is important as in-house counsel to spend time managing outside counsel properly. Once you get into a position of responsibility, you really need to make sure that you’re not acting like a solo practitioner anymore. I read once that Bill Gates takes a mini-retreat twice a year to separate himself from the detailed daily operations to think about strategic direction and the big picture. I don’t think that we do that often enough in-house—not take a retreat necessarily, but spend a day, every several months, recalibrating what you’re trying to do.

### **What’s Next For James R. Buckley**

I’m really trying to focus on implementing the management issues and things I’ve learned into my practice. I also want to write some more articles for the *Docket*.



Getting to Know:  
**James R. Buckley**

vantages to working with a firm. “Of course, the big disadvantage is the expense. It is also really easy to underestimate the amount of time necessary to manage an important representation properly.” Deciding whether the benefits of using outside counsel are worth the cost—both in terms of the monetary expense and the time to manage the engagement—is a decision that in-house law department leadership has to weigh on a case-by-case basis.

A hot topic on the minds of in-house counsel involves the continual rising of hourly rates for outside counsel, as well as the pay for first year associates. Buckley calls this an increasingly significant issue. “The

impact of your client reading about lawyers charging as much as \$1,000 an hour, for example, should not be underestimated. And if you juxtapose that with the surveys that focus on profits-per-partner, and the press about how firms are jockeying to maximize their profits-per-partner, it makes you wonder: What portion of the rate increases are driven by the value of the services and what portion are driven by the profits-per-partner? It cannot be a coincidence that both profits-per-partner and the rates are going up at the same time. It really underscores that people who work with big firms have to understand how law firm economics—and perceptions about law firm economics—play into

the equation of attorney-client relationships. This is one particular place where communication leading to that shared perspective becomes critical.”

Some of the blame for the high rates for outside counsel is being directed toward the salaries of new associates. Buckley thinks that the whole structure of the firm plays a role. “I love first-year associates. I was once one myself. However, using them is often a double-edged sword. On the one hand, they’re lower cost, even at higher rates, than the senior partners. But they’re also lower in efficiency. And on the big cases, it is getting tougher to have them doing some of the things that they used to do—the bread and butter, discovery kinds of things. You’re trying to push

## ACC Extras on...OUTSIDE COUNSEL MANAGEMENT

TITLE	DESCRIPTION	URL
<b>Outside Counsel Policies and Procedures (Sample Policy 2007)</b>	These guidelines are directed at outside counsel to achieve high quality legal representation that produces maximum value results; the most efficient use of resources; and results in the most cost effective manner.	<a href="http://www.acc.com/resource/v8426">www.acc.com/resource/v8426</a>
<b>Outside Counsel Guidelines (Sample Letter 2007)</b>	This sample letter establishes mutual understandings and agreements concerning the expectations of a firm’s representation of the company.	<a href="http://www.acc.com/resource/v8431">www.acc.com/resource/v8431</a>
<b>Handling Litigation Checklist (First 90 Days) (ACC Quick Reference 2007)</b>	This sample form from “Avoiding (and If All Else Fails, Planning for) Litigation,” CCU 2007, lays out the points to consider during the first 90 days.	<a href="http://www.acc.com/resource/v8450">www.acc.com/resource/v8450</a>
<b>Alternative Billing (ACC InfoPAK 2005)</b>	These materials provide information on alternative billing arrangements between outside attorneys and in-house counsel.	<a href="http://www.acc.com/resource/v5799">www.acc.com/resource/v5799</a>
<b>Top Ten Methods to Manage Outside Counsel (ACC Top Ten 2006)</b>	Ten tips on how to appropriately manage your outside counsel.	<a href="http://www.acc.com/resource/v7740">www.acc.com/resource/v7740</a>



that more to contract lawyers and to paralegals—or trying to find technology solutions—because new lawyers at big firms are simply getting too expensive for the number of hours it takes to do these things in the traditional ways.”

Buckley thinks that the challenge that first year and junior associates bring is, the more expensive they get, the more of a premium there is on the firm managing their time properly. “Otherwise, you find yourself in the position where the bulk of your costs are attributable to very junior associates who are deciding on their own what activities they think are important, and how much time they should invest in those activities, and billing you accordingly. Now the billing partner may write down the time, but that’s not a good solution for anybody.”

The solution to this problem, according to Buckley, is to get a case management structure into place where the more senior lawyers at the firm are taking a active role in understanding what the junior lawyers are working on, and how much time that work should take. “There is some benefit to having first year associates as long as they’re properly tasked and know how much time they should be taking to work on things. But if you just turn them loose, then that’s not management and you’re not going to get a cost-effective result.”

How a law department decides to allocate its funds for outside help is a process that requires a lot of research into what needs to be done and who should do the work. Buckley feels that things like electronic billing and internet-based legal services are giving the in-house attorney tools to make better decisions about outside counsel.

“With the rates now being charged by the big firms, you can’t take for granted any more that certain work will go to certain firms. You can’t start with the assumption that there’s

a one-stop shop for all the things that you need to do. You really have to go through what you might call a segmenting process.” The process Buckley is talking about involves looking

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You can’t start with the assumption that there’s a one-stop shop for all the things that you need to do.

at your docket and dissecting it into parts and allocating what needs to go out to the best firms and what would actually work better going to a smaller firm that can work well with different niches. “This way you get the best value because you’re not just reducing cost, you’re maximizing value.”

While Lockheed Martin works with various outside firms, Buckley sees the advantages of working with smaller ones. “I think it’s easier when the firms are smaller because they’re more flexible in terms of adjusting their structure to fit what your needs are. Big firms are sensitive to what the clients need, but there’s a lot of inertia with big firm bureaucracy that you have to accept. So the smaller firms are more agile and they’re trying to carve out niches that the big firms don’t occupy.”

Buckley shared a positive experience with a small outside firm. “We had a particularly challenging set of litigation issues and we ended up partnering with an outside firm that was more of a boutique firm. They didn’t necessarily have the depths of resources that we needed, but they did have creativity and collegiality, as well as a cost-effectiveness that we weren’t finding in big firms. And then we partnered them up with some other firms that could add some firepower and bodies to the work. That was particularly effective

representation.” This drive to think differently about the match-up between firms and work has led the company to develop new relationships with other firms, including ones that have worked with several other big companies that employ techniques such as Six Sigma and who are very open to working through process issues with them.

Advances in technology are affecting in-house legal departments just like they are affecting everything else. At Lockheed Martin, the legal department, which just completed a two-year pilot on electronic invoicing, is in what Buckley calls a “technology renaissance.” “We’re a high tech firm; we should be kind of a standout in this area, but on the legal department side, we’ve not been. I’ve been fortunate enough to be involved with an initiative that the general counsel started, which is taking a hard look at using emerging technologies to better integrate our department and improve the coordination between us and outside counsel.”

This initiative is now moving company wide, and Buckley said it is too early to gauge all of the benefits, but the company has seen some during the pilot. “We expect to find, as we roll it out across the company, a continuation of a significant reduction in processing costs, significant improvements to the budgeting process, and greater visibility into the detail of the spend data. The technology lays the foundation for us ultimately to be looking at company-wide initiatives to segmenting our work and tailoring our fee arrangements.

Alternate billing arrangements—things like ebilling, fixed rates, and discounts—becoming more and more commonplace in the in-house and outside counsel relationship. However, Buckley says these practices are not yet deeply rooted in his company. “As a government contractor, tailoring fee arrangements to match the work is



part of our business culture, and yet to be honest, we probably haven't done as much in the legal department as we could with that concept. Our primary model really is the straight hourly rate, which, in the government-contracting parlance is kind of a time-and-materials basis. We've begun to collect the data now in our initiative on technology and e-billing, where we hope that we can get smarter about this."

Buckley doesn't think that there is enough visibility yet into what everybody else in-house is doing, but Lockheed Martin has worked with firms that offer discounted fees with an incentive "kicker" at the end that is based on outcome, as well as other fee arrangements that are not based on the hour. "Firms approach [discounted fees] with a little trepidation, which makes sense because their perception is that the hourly rate

maximizes their revenue. But, I think they are getting more receptive to it. Every case is different and it all goes back to finding that shared perspective. It goes back to taking the time to explain your company to the firm, taking the time to understand the firm's economic stake in the relationship, and finding outside counsel who are willing to engage on that."

Sometimes finding that perfect outside counsel, or figuring out the best way to use resources effectively, requires a little help from your friends. Buckley said his department is constantly raiding the ACC website for articles in these areas. "We try to keep up with the best practices, and even though we haven't implemented them all yet, our appetite is there and we're continuously learning. You'll find a lot of different articles [on the website]

on lots of different companies who've done interesting things. One day we would hope to be one of those, but right now we're still the learners."

Deciding to bring in outside legal help is a necessity in the in-house legal environment. The legal department knows its company inside out, and the firm knows their particular area of the law inside out, and bringing those two parts together for the benefit of each other is the main focus.

"Like all relationships, the key is investing time and finding someone at the firm who is going to serve as the champion for your company, and who is going to be a good relationship partner and champion communication."

- Tiffani Alexander

*Have a comment on this article?*

*Email [editorinchief@acc.com](mailto:editorinchief@acc.com).*

# Project management readiness diagnostic

- **Accept the responsibility:** Have I accepted that I am not merely a passive consumer of someone else's legal services – that I am expected to manage the company's resources to accomplish the company's goals?
- **Engage with others:** Do I understand who will be impacted by this problem and by whatever solution we devise? Do I accept that the solution needs to address their issues?
- **Translate the goals:** Can I translate the interests of my company into a short, but thoughtful, set of simple objectives - something a little more sophisticated than "win the case" or "close the deal"?
- **Enter into a compact:** Do I have a team that is ready to develop a plan that will meet our stated goals? Will this team accept the roles and responsibilities spelled out in the plan, and agree that accomplishing this plan will be the measure of our success?
- **The need to plan:** Will tackling this matter involve more moving parts, deadlines, or conflicting priorities than I can comfortably keep in my head or my desk calendar?

*If you can answer these questions – or at least agree that they are the right questions to answer – then you are ready for project management*



Internal Stakeholders Perspective - Baseline

Values		STAKEHOLDERS								
		A	B	C	D	E	F	J	K	
		Compliance Departments	General Counsel	Corporate Communications	Controller	Corporate Finance	Corporate Risk Management	Investor Relations	Business Areas	
Tie to Corporate Mission Statement	1	Regulatory Compliance (in daily operations)	Core responsibility	Support the compliance department	Communicate compliance efforts/issues	SEC perspective- needs to know about serious noncompliance- briefed on NOV's	Determine the bottom line, avoid penalties	Concerned with reputation and insurance costs	Disclose pertinent information to investors	Compliance in ongoing operations affects overall corporate responsibility
	2	Regulatory Compliance (for uncommon occurrences)	Core responsibility	Legal Posture/ how the corporation interact with agendas	Communicate compliance efforts/issues	Core Responsibility	Concerned with profit loss/bottom line	Select insurance programs/self-insurance- determine costs and necessary coverage	Disclose pertinent information to investors	Decisions relating to these situations may impact current business and compliance conduct. The handling of a compliance situation may have a lasting impact on corporate practices.
ACCOUNTABILITY	3	Public Accountability (Customers)	Ensure there is consistent compliance with regulations in order to preserve and enhance regulatory goodwill and community perception	Maintain integrity	Core responsibility- manage corporate reputation	Core Responsibility- manage financial statements	Maintain credibility with the financial community	Manage company's credibility with the insurance/risk management community	Manage credibility with investors and securities analyst community	Preserve customer perception, maintain positive public opinion
	4	Litigation Avoidance Strategy	Coordinate with Legal Stakeholders	Core responsibility	Handle impact of (potential) litigation on external perceptions- may be required to communicate to the public about litigation	Determined the probability of claims occurring	Determine the bottom line, avoid penalties, determine costs/potential costs	Handle insurance claims and the underwriting cost of insurance	Avoid "background noise" or "drag" of litigation in conversations	Recognize that controversy can create drag on relationships involving ongoing contacts and future business opportunities.
SHAREHOLDER VALUE	5	Defensive Litigation	Coordination of litigation strategy between compliance department's policy direction and the legal stakeholders- Are there negative implications in litigation if the compliance policy is modified?	Core responsibility	Handle impact of (potential) litigation on external perceptions- may be required to communicate to the public about litigation	Determine an estimate of potential loss and the probability of the loss occurring.	Determine what the litigation may cost the company (potential risk)	Concerned with insurance costs and recovery impacts	Avoid "background noise" or "drag" of litigation in conversations	Maintain consistency in decisions across operations because positions taken at any stage may impact future business conduct (especially stances taken during litigation)
	6	Reserves	Core responsibility	Determination of the probability of an event occurring is a legal question	N/A	Core Responsibility	Determine bottom line, profit loss	Determine how availability of insurance affects reserves	N/A	N/A
	7	Cost- Budgeting	Core responsibility	Consider the cost of a case, monitor counsel fees	N/A	Core Responsibility	Determine bottom line, profit loss	Determine the cost of insurance coverage	Determine the impact an action has on financials- how should an action be described to investors.	Concerned with the cost pool that is shared across operations
	8	Cost Recovery (government or other third-parties)	Compliance directly impacts budget and cash outlay	Legal Posture	Handle negative impact on reputation and the circulation of "bad" stories	Core Responsibility	Determine bottom line, profit loss	Core responsibility- determine settlement amounts	Determine the impact an action has on financials- how should an action be described to investors.	N/A
	9	Insurance/ CRM	Is there exposure requiring coverage that's based on remediation at a site or other remedies in a case?	Recoverability of legal costs/insurance litigation and indemnification	N/A	N/A	Determine bottom line, profit loss	Core responsibility	Determine the impact an action has on financials- how should an action be described to investors.	Must stay well-informed of risks

# Legal Services Management 3.0 Core Curriculum

## Tools for Legal Project Management

The ACC  
VALUE  
Challenge



# Work Plan and Budget

Screen shots presented for two formats:

1. Project management software application “FastTrack” – available at [www.aecsoftware.com/](http://www.aecsoftware.com/)
2. Excel Workbook format:

For a copy of the file in .xls format, please contact

Aileen Leventon at 917-860-

7043([aileen@qllexconsulting.com](mailto:aileen@qllexconsulting.com)) or

Rob Lipstein at 202-624-2630 ([rlipstein@crowell.com](mailto:rlipstein@crowell.com))



Home Insert Format View **Project** Tools Application

Calendar Project Information Activity Information Resource Information Work Calendars WBS All Bars Range Timeline Ranges Timeline Units Layouts Sorts Filters Restore All

Calendar View Project Information Details Timeline Layout Sort & Filter

# SCHEDULE- Calendar View

July 2010						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
18	19	20	21	22	23	24
Pre-Trial Phase II						
Pre-Trial Phase II:Deposition Designation and Witness Lists:Finalize deposition designations						
Pre-Trial Phase II:Exhibits and Graphs:Complete initial composition of exhibits						
25	26	27	28	29	30	31
Pre-Trial Phase II						
Pre-Trial Phase II:Exhibits and Graphs:Initial draft of graphics						
Pre-Trial Phase II:Direct Examinations:Finalize direct exam of Witnesses 1, 2, 3						
August 1	2	3	4	5	6	7
Pre-Trial Phase II						
Pre-Trial Phase II:Deposition Designation and Witness Lists:Draft Witness List						
Pre-Trial Phase II:Direct Examinations:Finalize Direct Exam of Witnesses 4, 5						
Pre-Trial Phase II:Direct Examinations:Finalize Direct Exam of Witnesses 6,7,8						
8	9	10	11	12	13	14
Pre-Trial Phase II						
Pre-Trial Phase II:Direct Examinations:Finalize Direct Exam of Witness 9,10,11,12						
Pre-Trial Phase II:Direct Examinations:Finalize Direct Exam of Ex1, Ex2						
Pre-Trial Phase II:Direct Examinations:Finalize Direct Exam of Ex3						
15	16	17	18	19	20	21
Pre-Trial Phase II						
Pre-Trial Phase II:Cross Examinations:Finalize Cross of Ex-A1, ExA2,						
Pre-Trial Phase II:Cross Examinations:Finalize Cross of W-Ad1, W-Ad2, W-Ad3						
Pre-Trial Phase II:Cross Examinations:Finalize Cross of W-Ad4, W-Ad5						

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FastTrack Schedule 10 - [PreTrial Phase II 07072010\_10pm-0042 (Read Only)]

# SCHEDULE Gantt Chart View

Home Insert Format View Project Tools Application

Percent Work Usage  
Work Usage  
Assignments  
Resources

View Schedule Action Columns Summary Bars Datelines Links Critical Paths Alignment Grid

Activity Name	Duration (Days)	Total Cost	July 2010							August 2010							September 2010													
			1	2	3	4	5	6	7	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8	9	10	11		
1 Pre-Trial Phase II	40.00 40.00	\$46,670 \$0	[Gantt bar spanning July 1 to August 11]																											
2 Deposition Designation and Witness Lists...	30.00	\$3,987	[Gantt bar spanning July 1 to August 1]																											
6 Exhibits and Graphs...	35.00	\$3,075	[Gantt bar spanning July 1 to August 6]																											
11 Direct Examinations...	15.00	\$18,237	[Gantt bar spanning July 15 to July 30]																											
18 Cross Examinations...	20.00	\$21,371	[Gantt bar spanning August 5 to August 25]																											

PreTrial Phase II 07072010\_10p...

Layout: Cost Layout | All Activities

Taskbar: Mozilla Firefox, Microsoft Excel non..., FastTrack Schedule ...

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# SCHEDULE Gantt Chart View

Home Insert Format View Project Tools Application

Summary Bars Datelines Links Critical Paths Alignment Grid

Percent Work Usage  
Work Usage  
Assignments  
Resources

Show/Hide

Activity Name	Duration (Days)	Total Cost	July 2010								August 2010								September 2010							
			1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8	1	2	3	4	5	6	7	8
▼ Pre-Trial Phase II	40.00 40.00	\$46,670 \$0	[Gantt bar spanning July 1 to Sept 8]																							
▼ Deposition Designation and Witness Lists	30.00	\$3,987	[Gantt bar spanning July 1 to Aug 10]																							
Finalize deposition designations	5.00	\$3,471	[Gantt bar: July 1-5]																							
Draft Witness List	5.00	\$258	[Gantt bar: July 4-8]																							
Finalize Witness List	5.00	\$258	[Gantt bar: Aug 2-6]																							
▼ Exhibits and Graphs	35.00	\$3,075	[Gantt bar spanning July 1 to Aug 10]																							
Complete initial composition of exhibits	5.00	\$615	[Gantt bar: July 1-5]																							
Initial draft of graphics	5.00	\$1,230	[Gantt bar: July 4-8]																							
Complete final exhibit list	5.00	\$410	[Gantt bar: Aug 2-6]																							
Complete final exhibit compilation	5.00	\$820	[Gantt bar: Aug 9-13]																							
▼ Direct Examinations	15.00	\$18,237	[Gantt bar spanning July 4 to Aug 19]																							
Finalize direct exam of Witnesses 1, 2, 3	5.00	\$3,798	[Gantt bar: July 4-8]																							
Finalize Direct Exam of Witnesses 4, 5	5.00	\$2,110	[Gantt bar: July 7-11]																							
Finalize Direct Exam of Witnesses 6, 7, 8	5.00	\$3,972	[Gantt bar: July 10-14]																							
Finalize Direct Exam of Witness 9, 10, 11, 12	5.00	\$3,645	[Gantt bar: July 13-17]																							
Finalize Direct Exam of Ex1, Ex2	5.00	\$3,476	[Gantt bar: July 16-20]																							
Finalize Direct Exam of Ex3	5.00	\$1,236	[Gantt bar: July 19-23]																							
▼ Cross Examinations	20.00	\$21,371	[Gantt bar spanning Aug 16 to Sept 5]																							
Finalize Cross of Ex-A1, Ex-A2	5.00	\$3,972	[Gantt bar: Aug 16-20]																							
Finalize Cross of W-Ad1, W-Ad2, W-Ad3	5.00	\$3,798	[Gantt bar: Aug 23-27]																							
Finalize Cross of W-Ad4, W-Ad5	5.00	\$2,025	[Gantt bar: Aug 30-Sept 3]																							
Finalize Cross of Ex-Ad3	5.00	\$4,532	[Gantt bar: Sept 6-10]																							

PreTrial Phase II 07072010\_10p...

Cost Layout | All Activities

Taskbar: Mozilla Firefox, Microsoft Excel non..., FastTrack Schedule ...

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# Cost Summary- based on same data sources

1	Pre-Trial Phase II	40.00	7/19/10	9/10/10			\$0	\$46,670
		40.00	7/19/10	9/10/10			\$0	\$0
2	Deposition Designation and Witness Lists	30.00	7/19/10	8/27/10				\$3,987
3	Finalize deposition designations	5.00	7/19/10	7/23/10	Alpha Team[5%], Beta		\$3,471	\$3,471
4	Draft Witness List	5.00	8/2/10	8/6/10	Lists Team[4%]		\$258	\$258
5	Finalize Witness List	5.00	8/23/10	8/27/10	Lists Team[4%]		\$258	\$258
6	Exhibits and Graphs	35.00	7/19/10	9/3/10				\$3,075
7	Complete initial composition of exhibits	5.00	7/19/10	7/23/10	Grph&Ex Team[8%]		\$615	\$615
8	Initial draft of graphics	5.00	7/26/10	7/30/10	Grph&Ex Team[15%]		\$1,230	\$1,230
9	Complete final exhibit list	5.00	8/23/10	8/27/10	Grph&Ex Team[5%]		\$410	\$410
10	Complete final exhibit compilation	5.00	8/30/10	9/3/10	Grph&Ex Team[10%]		\$820	\$820
11	Direct Examinations	15.00	7/26/10	8/13/10				\$18,237
12	Finalize direct exam of Witnesses 1, 2, 3	5.00	7/26/10	7/30/10	Alpha Team[23%]		\$3,798	\$3,798
13	Finalize Direct Exam of Witnesses 4, 5	5.00	8/2/10	8/6/10	Alpha Team[13%]		\$2,110	\$2,110
14	Finalize Direct Exam of Witnesses 6, 7, 8	5.00	8/2/10	8/6/10	Beta Team[20%]		\$3,972	\$3,972
15	Finalize Direct Exam of Witness 9, 10, 11, 12	5.00	8/9/10	8/13/10	Gamma Team[23%]		\$3,645	\$3,645
16	Finalize Direct Exam of Ex1, Ex2	5.00	8/9/10	8/13/10	Beta Team[18%]		\$3,476	\$3,476
17	Finalize Direct Exam of Ex3	5.00	8/9/10	8/13/10	Delta Team[8%]		\$1,236	\$1,236
18	Cross Examinations	20.00	8/16/10	9/10/10				\$21,371
19	Finalize Cross of Ex-A1, Ex-A2,	5.00	8/16/10	8/20/10	Beta Team[20%]		\$3,972	\$3,972
20	Finalize Cross of W-Ad1, W-Ad2, W-Ad3	5.00	8/16/10	8/20/10	Alpha Team[23%]		\$3,798	\$3,798
21	Finalize Cross of W-Ad4, W-Ad5	5.00	8/16/10	8/20/10	Gamma Team[13%]		\$2,025	\$2,025
22	Finalize Cross of Ex-Ad3, Ex-Ad4, Ex-Ad5, Ex-Ad6, Ex-Ad7	5.00	8/23/10	8/27/10	Delta Team[28%]		\$4,532	\$4,532
23	Finalize Cross of Ex-Ad8,	5.00	8/30/10	9/3/10	Delta Team[33%]		\$5,356	\$5,356



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# Work Plan EXCEL format

C18

	A	B	C	D	E	F	H	I	J	K	L
1	PRE-TRIAL SCHEDULE PHASE II (TARGET TIMELINE)			PRE-TRIAL SCHEDULE PHASE III (DEADLINES IMPOSED BY COURT)							
2											
3	<b>Week 1</b>			1-Jun		Parties exchange exhibit lists, exhibits, witness lists, and deposition designations					
4		Deposition designations -- finalized									
5		Exhibits -- initial compilation									
6				5-Jun		Parties exchange objections to exhibits and deposition counter-designations					
7	<b>Week 2</b>										
8		Direct examinations finalized for: Witnesses 1, 2, 3									
9		Graphics -- initial drafts created		12-Jun		Parties file joint pre-trial order					
10											
11	<b>Week 3</b>			19-Jun		Parties file motions in limine					
12		Direct examinations finalized for: Witness 4-8									
13		Exhibit List -- initial draft		25-Jun		Parties file oppositions to motions in limine					
14		Witness List -- initial draft									
15				2-Jul		Parties file motion in limine replies					
16	<b>Week 4</b>										
17		Direct examinations finalized for: Witnesses 9-12		9-Jul		<b>Trial begins</b>					
18		Direct examinations finalized for: Experts 1-3									
19											
20	<b>Week 5</b>										
21		Cross-examinations finalized for: Expert Adverse-1 and Expert Adverse-2									
22		Cross-examinations finalized for: Witness Adverse 1 through 5									
23											
24	<b>Week 6</b>										
25		Cross-examinations finalized for: Expert Adverse 3 - 7									
26		Exhibit list -- finalized									
27		Witness list -- finalized									
28											
29	<b>Week 7</b>										
30		Cross-examinations finalized for: Expert Adverse 8 - 10									
31		Exhibits -- compilation finalized									
32		Graphics -- finalized									
33											

Overview Schedule Workplan Teams Assignments Budget

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# Who does what

A1 STEP NO.

STEP NO.	TIMELINE	ACTIVITY	RESPONSIBILITY	DELIVERABLES	FORMAT	PREPARATION
<b>Direct Exams</b>						
3	Week 2	Finalize Direct of W1, W2, W3	Alpha Team	Partner A; Associate A	Written questions	Written notes, section of trial notebook Review existing deposition, prepare questions in consultation with trial themes team
4	Week 3	Finalize Direct of W4, W5	Alpha Team	Partner A; Associate A	Written questions	Written notes, section of trial notebook Review existing deposition, prepare questions in consultation with trial themes team
5	Week 3	Finalize Direct of W6, W7, W8	Beta Team	Partner A; Associate B	Written questions	Written notes, section of trial notebook Review existing deposition, prepare questions in consultation with trial themes team
6	Week 4	Finalize direct examinations W9, W10, W11, W12	Gamma Team	Partner B; Associate A	Written questions	Written notes, section of trial notebook Review existing deposition, prepare questions in consultation with trial themes team
7	Week 4	Finalize direct exam of Ex1 and Ex2	Beta Team	Partner A; Associate B	Written questions	Written notes, section of trial notebook Review existing deposition, prepare questions in consultation with trial themes team
8	Week 4	Finalize direct exam of Ex3	Delta Team	Counsel A; Counsel C	Written questions	Written notes, section of trial notebook Review existing deposition, prepare questions in consultation with trial themes team
9						
10						
11						
12						
13						
<b>Cross Exams</b>						
14						
15	Week 5	Finalize Cross Exams for ExAd-1 and ExAd 2	Beta Team	Partner A; Associate B	Written questions	Written notes, section of trial notebook Review existing deposition, prepare questions in consultation with trial themes team

Ready

Overview Schedule **Workplan** Teams Assignments Budget

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A2

1 **PROPOSED PRE-TRIAL TEAMS & TASKS**

2

3 **Available Staff**

4 Partner A

5 Partner B

6 Counsel A

7 Counsel B

8 Counsel C

9 Associate A

10 Associate B

11 Paralegal P

12

13 Teams	Members	Witness Group	Direct	Cross
14 Alpha	Partner A; Associate A	Witness Group Alpha	W1, W2, W3, W4, W5	W-Ad1, W-Ad2, W-Ad3, W-Ad6, W-Ad7, W-Ad8
15 Beta	Partner A; Associate B	Witness Group Beta	W6, W7, W8, Ex1, Ex2	Ex-Ad1, Ex-Ad2,
16 Gamma	Partner B; Associate A	Witness Group Gamma	W9, W10, W11, W12	W-Ad4, W-Ad5
17 Delta	Counsel A; Counsel C	Witness Group Delta	Ex3	ExAd-3, ExAd-4, ExAd-5, ExAd-6, ExAd-7, ExAd-8, ExAd-9, ExAd-10
18 Graphics & Exhibits	Counsel B; Paralegal P			
19 Pre-trial lists	Partner B; Paralegal P			
20 Trial themes	Partners A & B; Counsel C; Associate A			
21				
22				
23 <b>DIRECT EXAMINATION SCRIPTS</b>				
24 Witness Name	Abbreviation	Assigned Team	Staff	
25 Expert 1	Ex1	Beta	Partner A; Associate B	
26 Expert 2	Ex2	Beta	Partner A; Associate B	
27 Expert 3	Ex3	Delta	Counsel A; Counsel C	
28 Witness 1	W1	Alpha	Partner A; Associate A	
29 Witness 2	W2	Alpha	Partner A; Associate A	
30 Witness 3	W3	Alpha	Partner A; Associate A	
31 Witness 4	W4	Alpha	Partner A; Associate A	
32 Witness 5	W5	Alpha	Partner A; Associate A	
33 Witness 6	W6	Beta	Partner A; Associate B	
34 Witness 7	W7	Beta	Partner A; Associate B	
35 Witness 8	W8	Beta	Partner A; Associate B	
36 Witness 9	W9	Gamma	Partner B; Associate A	
37 Witness 10	W10	Gamma	Partner B; Associate A	



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View Side by Side Synchronous Scrolling Reset Window Position

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# Who does what and when

	A	B	C	D	E	F	G	H	I	J	K	L
1	PRE-TRIAL ASSIGNMENTS PHASE II											
2												
3	Team Member	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6				Team Member	Week 7
4	Partner A	Deposition Designations due for assigned witnesses	Finalize Direct of W1, W2, W3	Finalize Direct of W4, W5, W6, W7, W8	Finalize Direct of Ex1, Ex2	Cross-examinations finalized for: Ex-A1 and Ex-A2, W-A1, W-A2, W-A3					Partner A	
5	Partner B	Deposition Designations due for assigned witnesses, pre-trial lists		Draft Exhibit List and Witness List	Direct examinations finalized for W9, W10, W11, W12	Cross-exam finalized for W-A4, W-A5	Finalize Exhibit List and Witness List				Partner B	
6	Counsel A	Deposition Designations due for assigned witnesses			Direct Exam Finalized for Ex3		Cross-examinations finalized for: ExAds 3-7				Counsel A	Cross-examination finalized for: ExAd 10
7	Counsel B	Initial Composition of exhibits	Initial drafts of graphics								Counsel B	Finalize Graphics & Exhibits
8	Counsel C	Deposition Designations due for assigned witnesses			Direct Exam Finalized for Ex3		Cross-examinations finalized for: ExAds 3-7				Counsel C	Cross-examination finalized for: ExAd 10
9	Associate A	Deposition Designations due for assigned witnesses	Finalize Direct of W1, W2, W3	Finalize Direct of W4, W5	Direct examinations finalized for W9, W10, W11, W12	Cross-examinations finalized for W-Ad1, W-Ad2, W-Ad3, W-Ad4, W-Ad5					Associate A	

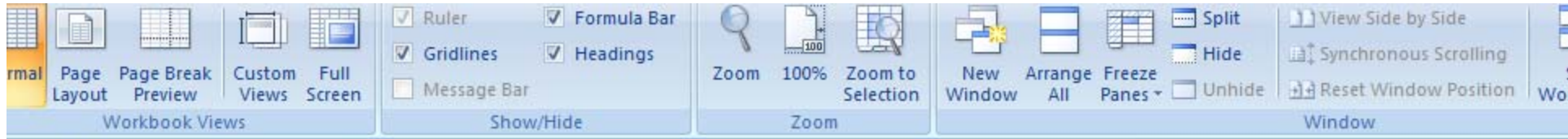
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Overview Schedule Workplan Teams Assignments Budget

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B2						
A	B	C	D	E	F	G

**TRIAL PREP (MATTER TYPE) - PROPOSED BUDGET - FEE/COST ANALYSIS ASSUMPTIONS**

KEY:   Blue = Input/assumption

***BUDGET***

**Inputs:**

**Hourly Rates for:**

Hourly Rate (US\$)	Total Est	Total Est Fees (US\$)
--------------------	-----------	-----------------------

Partner A	750	15	10,913
Partner B	600	4	2,490
Counsel A	400	15	5,800
Counsel B	425	3	1,275
Counsel C	425	15	6,163
Associate A	340	35	11,968
Associate B	360	16	5,850
Paralegal P	150	15	2,228
<b>Total Cost of Phase II</b>		<b>117</b>	<b>\$ 46,686</b>

**Staffing Ratios**

**Based on Team Assignments:**

<i>should reflect</i>	Alpha Team (20% Partner A, 80% Associate A)	422	29	12,238
<i>risk and complexity (1)</i>	Beta Team (35% Partner A, 65% Associate B)	497	25	12,413
<i>(from client perspective)</i>	Gamma Team (25% Partner B, 75% Associate A)	405	16	6,480
<i>skills, expertise</i>	Delta Team (50% Counsel A, 50% Counsel C)	413	29	11,963
<i>resource alternatives (2)</i>	Graphics & Exhibits (20% Counsel B, 80% Paralegal P)	205	15	3,075
<i>(from law firm perspective)</i>	Pre-trial lists (Partner B 5%, Paralegal P 95%)	173	3	518
<b>Total Cost of Phase II</b>		<b>117</b>	<b>\$ 46,686</b>	

(1) Based on  
- scope of work  
- definition of success

(2) Based on leverage, profitability, optimizing workflows to fully utilize team members

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TRIAL PREP (MATTER TYPE) - PROPOSED BUDGET - FEE/COST ANALYSIS ASSUMPTIONS					
KEY:	Blue =	Input/assumption			
<b>Inputs:</b>	<b>Hourly Rates for:</b>	<b>Hourly Rate (US\$)</b>	<b>Total Est</b>	<b>Total Est Fees (US\$)</b>	
	Partner A	750	15	10,913	
	Partner B	600	4	2,490	
	Counsel A	400	15	5,800	
	Counsel B	425	3	1,275	
	Counsel C	425	15	6,163	
	Associate A	340	35	11,968	
	Associate B	360	16	5,850	
	Paralegal P	150	15	2,228	
<b>Total Cost of Phase II</b>			<b>117</b>	<b>\$ 46,686</b>	
<b>Staffing Ratios</b>	<b>Based on Team Assignments:</b>				
<i>should reflect</i>	Alpha Team (20% Partner A, 80% Associate A)				
<i>risk and complexity (1)</i>	Beta Team (35% Partner A, 65% Associate B)				
<i>(from client perspective)</i>	Gamma Team (25% Partner B, 75% Associate A)				
<i>skills, expertise</i>	Delta Team (50% Counsel A, 50% Counsel C)				
<i>resource alternatives (2)</i>	Graphics & Exhibits (20% Counsel B, 80% Paralegal P)				
<i>(from law firm perspective)</i>	Pre-trial lists (Partner B 5%, Paralegal P 95%)				
<b>Total Cost of Phase II</b>			<b>117</b>	<b>\$ 46,686</b>	
(1) Based on - scope of work - definition of success					
(2) Based on leverage, profitability, optimizing workflows to fully utilize team members					
<b>PRE-TRIAL PHASE II COSTS</b> Preparation and Planning					
STEP NO.	TIMELINE	ACTIVITY	TEAM	HOURS	FEES (US\$)

Budget with assumptions

Taskbar: Overview, Schedule, Workplan, Teams, Assignments, Budget, Mozilla Firefox, Microsoft Excel non..., Microsoft PowerPoi..., July 6 notes - Micro..., 3:17 PM





A63      STEP NO.

**PRE-TRIAL PHASE II COSTS**  
Preparation and Planning

STEP NO.	TIMELINE	ACTIVITY	TEAM	HOURS	FEES (US\$)
<i>Direct Exam Scripts</i>					
	Week 2	Witness 1	Alpha	3	1,266
	Week 2	Witness 2	Alpha	4	1,688
	Week 2	Witness 3	Alpha	2	844
	Week 3	Witness 4	Alpha	3	1,266
	Week 3	Witness 5	Alpha	2	844
	Week 3	Witness 6	Beta	2	993
	Week 3	Witness 7	Beta	1	497
	Week 3	Witness 8	Beta	5	2,483
	Week 4	Witness 9	Gamma	3	1,215
	Week 4	Witness 10	Gamma	3	1,215
	Week 4	Witness 11	Gamma	1	405
	Week 4	Witness 12	Gamma	2	810
	Week 4	Expert 1	Beta	5	2,483
	Week 4	Expert 2	Beta	2	993
	Week 4	Expert 3	Delta	3	1,238
<b>Total Cost of Direct Exam Scripts</b>				<b>41</b>	<b>\$ 18,238</b>
Average cost of direct exam script				\$ 1,216	

**Budgeting: Cost, time, res**

STEP NO.	TIMELINE	ACTIVITY	TEAM	HOURS	COST
<i>Cross Exam Scripts</i>					
	Week 5	Expert Adversary 1	Beta	2	993
	Week 5	Expert Adversary 2	Beta	6	2,979
	Week 5	Witness Adversary 1	Alpha	2	844
	Week 5	Witness Adversary 2	Alpha	4	1,688
	Week 5	Witness Adversary 3	Alpha	3	1,266
	Week 5	Witness Adversary 4	Gamma	2	810
	Week 5	Witness Adversary 5	Gamma	3	1,215
	Week 6	Expert Adversary 3	Delta	4	1,650
	Week 6	Expert Adversary 4	Delta	1	413
	Week 6	Expert Adversary 5	Delta	2	825
	Week 6	Expert Adversary 6	Delta	2	825
	Week 6	Expert Adversary 7	Delta	2	825
	Week 7	Expert Adversary 8	Delta	4	1,650
	Week 7	Expert Adversary 9	Delta	6	2,475
	Week 7	Expert Adversary 10	Delta	3	1,238
	Week 8	Witness Adversary 6	Alpha	2	844
	Week 8	Witness Adversary 7	Alpha	1	422
	Week 8	Witness Adversary 8	Alpha	1	422
<b>Total Cost of Cross Exam Scripts</b>				<b>60</b>	<b>\$ 21,383</b>



STEP NO.	TIMELINE	ACTIVITY	TEAM	HOURS	FEES
<b>Graphics and Exhibits</b>					
	Week 1	Exhibits -- initial compilation	Grph&Ex	3	615
	Week 2	Initial drafts of graphics	Grph&Ex	6	1,230
	Week 3	Exhibit List -- initial draft	Grph&Ex	2	410
	Week 6	Exhibit list -- finalized	Grph&Ex	4	820
<b>Total Cost of Graphs and Exhibits</b>				<b>15</b>	<b>\$ 3,075</b>
<b>Lists and Other Prep</b>					
	Week 1	Finalize deposition designations for Alpha Group witnesses	Alpha	2	844
	Week 1	Finalize deposition designations for Beta Group witnesses	Beta	2	993
	Week 1	witnesses	Gamma	2	810
	Week 1	Finalize deposition designations for Delta Group witnesses	Delta	2	825
	Week 3	Witness List -- initial draft	Lists	2	259
	Week 6	Witness list -- finalized	Lists	2	259
<b>Total Cost of Graphs and Exhibits</b>				<b>11</b>	<b>\$ 3,990</b>
<b>TOTAL FEES</b>				<b>117</b>	<b>\$ 46,686</b>
<b>Average Blended hourly rate</b>			<b>\$ 399</b>		
<b>Costs Per Week</b>					
	Week 1			\$ 4,087	
	Week 2			\$ 5,028	
	Week 3			\$ 6,751	
	Week 4			\$ 8,358	
	Week 5			\$ 9,795	
	Week 6			\$ 5,616	
	Week 7			\$ 5,363	
	Week 8			\$ 1,688	
	<b>Total</b>			<b>\$ 46,686</b>	

# Budgeting: Cost, time, resources

Product Name	Software Company	Price	Platform	Compatibility	Description	Phone	Email/Contact URL
<a href="#">@Task</a>	AtTask, Inc.	Contact for Quote (Free trial available)	Web-based	PC & Mac	@task is web-based project management software that helps companies get work done. You'll love how easy it is to get more from your teams and bring your projects in on time and on budget. Use @task to plan your project life cycle and provide your teams with the project management tools they need to succeed.	(866) 441-0001	N/A
<a href="#">24Seven Office CRM</a>	24Seven Office	Contact for Quote (Free trial available)	Web-based	PC & Mac	WebEx and 24SevenOffice have combined forces to provide an industry-leading CRM solution to streamline the collaborative sales and customer management processes.	+44 0161 250 07 06	<a href="mailto:info@24SevenOffice.com">info@24SevenOffice.com</a>
<a href="#">Ace Project</a>	Websystems Inc.	Free (Upgrade \$1495-\$4695)	Web-based (Software upgrade)	PC & Mac	Free project management software, project management system. AceProject is a toolbox that can help organizations manage multiple projects within one single account. You can manage as many projects simultaneously as your package allows you to. Each project can be structured in a unique way allowing different types of projects to be managed in a central place. Projects can be copied or transformed into templates to be reused later.	(866) 259-2454	<a href="mailto:support@aceproject.com">support@aceproject.com</a>
<a href="#">Aras PLM Solution Suite</a>	Aras Corp.	Free	Downloadable	PC only	Companies achieve greater innovation, collaboration, and coordination with advanced product life cycle management software solutions that deliver bottom line business results. Businesses reduce product costs, attain greater profits, and shorten time to market with Aras solutions for Product Lifecycle Management, Enterprise Quality Management, and Global Supplier Management.	(978) 691-8900	<a href="mailto:info@aras.com">info@aras.com</a>
<a href="#">Artemis 7 Project Portfolio Management Software</a>	IBM	Contact for Quote	Web-based	PC & Mac	Artemis 7 is a web based investment planning and control software framework that helps organizations execute strategy through effective portfolio and project management. Artemis industry optimized solutions address needs of IT Management, New Product Development, Public Investment Management, Strategic Asset Optimization.	+33 1469 015 15	N/A
<a href="#">Assembla</a>	Assembla, LLC	\$24-\$249 (Free trial available)	Web-based	PC & Mac	Accelerate your projects with ONLINE workspaces. BEST of breed tools for agile software teams. UNIFIED view of code, tasks, and collaboration. SIMPLE management of alerts and permissions. SECURE hosting trusted by 170,000 users	(781) 583-7541	<a href="mailto:support@assembla.com">support@assembla.com</a>
<a href="#">BaseCamp</a>	37signals, LLC	\$24-\$124 per month	Web-based	PC & Mac	The Better Way To Get Projects Done. Trusted by millions, Basecamp is the leading web-based project collaboration tool. Share files, meet deadlines, assign tasks, centralize feedback, make clients smile.	N/A	<a href="http://basecampHQ.com/help/support">http://basecampHQ.com/help/support</a>
<a href="#">Bitrix Intranet Portal</a>	Bitrix, Inc.	\$1,799 (Free trial available)	Software	PC Only	Incorporating the latest Web 2.0 technologies, Bitrix Intranet Portal provides outstanding communication and project management tools, advanced online protection mechanisms and robust performance while remaining very intuitive, user-friendly and 100% scalable.	(703) 382-9177	<a href="mailto:sales@bitrixsoft.com">sales@bitrixsoft.com</a>
<a href="#">Central Desktop</a>	Central Desktop Inc.	\$0-\$99 per month (Free trial available)	Web-based	PC & Mac	Workgroup, Enterprise, & Community Business Collaboration Solutions. 100% web based. Offers different formats for different types of companies.	Gen: (626) 689-4420; Sales: (866) 900-7646	<a href="mailto:sales@centraldesktop.com">sales@centraldesktop.com</a>
<a href="#">Changepoint PSA</a>	Compuware Corporation	Contact for Quote	Software	Worldwide	Offers a wide array of products and services so that businesses can choose an appropriate package. Changepoint Professional Services Automation (PSA) is a comprehensive business management solution that streamlines process and tracks critical information from the initial opportunity with a client through service delivery, invoicing and revenue recognition.	(800) 266-7892	<a href="http://www.compuware.com/contact/inquiries.asp">http://www.compuware.com/contact/inquiries.asp</a>
<a href="#">Clarizen</a>	Clarizen Inc.	\$29.95-\$49.95 (Free trial available)	Web-based	PC & Mac	Clarizen's online project software simplifies project planning and management dramatically, allowing you and your team to focus your resources on getting the project done, and getting it done right: Manage all your projects and resources in one place. Gain real time visibility to your projects' status. Get your entire team on board in no time.	(866) 502-9813	<a href="mailto:sales@clarizen.com">sales@clarizen.com</a>



Product Name	Software Company	Price	Platform	Compatibility	Description	Phone	Email/Contact URL
<a href="#">codeBeamer</a>	Intland Software	\$0-\$9,950 per year (Free trial available)	Downloadable	PC & Mac	codeBeamer provides project management, wikis and knowledge management, document management, task, requirement and defect management, configuration management, continuous integration, version control, source code analysis and forums through a single and secure environment. It makes software development more collaborative, transparent and productive.	(866) 468-5210	<a href="mailto:sales@intland.com">sales@intland.com</a>
<a href="#">Codendi</a>	XEROX	Contact <a href="#">Manon Midy</a> for Quote	Downloadable	PC & Mac	Codendi is the open source platform for managing the life cycle of software applications. The innovative features of Codendi are that it integrates the best collaborative tools with industrial development applications (version management, compiling, integration, testing, releases) delivered through open source to guarantee a greater control of your projects.	+33 (0)4 76 61 50 06	<a href="mailto:manon.midy@codendi.com">manon.midy@codendi.com</a>
<a href="#">Collabtive</a>	Open Dynamics	Visit Site for Quote	Web-based	PC & Mac	Cloud based groupware easy and efficient for your projects. Intended for small to medium-sized businesses and freelancers. We offer commercial services for installation and customization of Collabtive. Can also be installed on an internal server.	N/A	<a href="mailto:collabtive@o-dyn.de">collabtive@o-dyn.de</a>
<a href="#">Contactizer Pro</a>	Objective Decision	\$59.90-\$119.90 (Free trial available)	Downloadable	Mac Only	Contactizer Pro makes your business management experience more efficient, productive and inventive. Following the prodigious success of its predecessor, OD4Contact, many users worldwide continue to choose Contactizer Pro for their calendar, organizational and management needs. Contactizer Pro, specifically built for Mac OS X, provides a wealth of powerful PIM features, all through an innovative, elegant and intuitive interface.	N/A	<a href="mailto:sales@objective-decision.com">sales@objective-decision.com</a>
<a href="#">DeskAway</a>	Synage Software Pvt. Ltd	\$0-\$99 per month (Free trial available)	Web-based	PC & Mac	DeskAway is a web-based project collaboration service that provides teams a central location to easily organize, manage and track their projects.	+91-22-22854133	<a href="mailto:support@deskaway.com">support@deskaway.com</a>
<a href="#">Dot Project Core</a>	None	Free	Web-based	PC & Mac	dotProject is a volunteer supported Project Management application. There is no "company" behind this project, it is managed, maintained, developed and supported by a volunteer group and by the users themselves.	N/A	<a href="http://forums.dotproject.net/">http://forums.dotproject.net/</a>
<a href="#">EasyProjects.net</a>	Logic Software, Inc.	\$0-\$648 (Free trial available)	Web-based	PC & Mac	EasyProjects.net is a web-based project management tool, making team collaboration hassle free and straightforward.	(888) 261-9878	<a href="mailto:info@easyprojects.net">info@easyprojects.net</a>
<a href="#">eGroupWare</a>	EGroupware.org	\$49-\$249	Software	PC & Mac	EGroupware is a enterprise ready groupware software for your network. It enables you to manage contacts, appointments, todos and many more for your whole business. The server runs on Linux, Mac, Windows and many more other operating systems.	+49 63 52 706 29 0	<a href="mailto:info@stylite.de">info@stylite.de</a>
<a href="#">FastTrack Schedule</a>	AEC Software, Inc.	\$349-\$2,995 (Free trial available)	Software	PC & Mac	The best way to plan and manage your projects. Your project management software for organizing, tracking, and reporting all your project goals. Great for both new and experienced project managers, FastTrack Schedule 10 helps you manage your small to mid-size projects easily and effectively.	(703) 450-1980	<a href="http://www.aecsoftware.com/company/contact/contact.asp">http://www.aecsoftware.com/company/contact/contact.asp</a>
<a href="#">FengSky</a>	FengOffice	\$10-\$299 per month (Free trial available)	Web-based	PC & Mac	Feng Office allows businesses to manage project tasks, billing, documents, communication with co-workers, customers and vendors, schedule meetings and events, and share every kind of electronic information. Feng Office can be used in one of two ways: Feng Sky and Feng Onsite. When you sign up for the Feng Sky or Feng Onsite service you get unlimited user support, continuous software updates, exclusive plug-ins, training and consulting material, and more. No license fees are charged.	N/A	<a href="mailto:contact@fengoffice.com">contact@fengoffice.com</a>
<a href="#">FogBugz</a>	Fog Creek Software, Inc.	\$25 per month-\$2999 (Free trial available)	Web-based	PC & Mac	FogBugz makes it simple to track your projects. It focuses your team on what needs to be done, and brings schedules back into reality. FogBugz captures all your tasks, features, and customer requests in a central location, bringing clarity to your development effort.	(866) 364-2733	<a href="mailto:customer-service@fogcreek.com">customer-service@fogcreek.com</a>

Product Name	Software Company	Price	Platform	Compatibility	Description	Phone	Email/Contact URL
<a href="#">FusionDesk Professional</a>	Virtuozza Software, Inc.	\$89.95	Software	PC Only	FusionDesk will help you manage your tasks more easily and efficiently than ever before. Organize your tasks in hierarchical folders. Define dynamic filters so you can find them easier later. Track time worked on each task. Sync your data with Outlook, a mobile device or another PC. TopTen Review ranked the product #9 and describes it as a glorified to-do list.	(305) 600-4410	<a href="http://www.fusiondesk.com/help/contact.html">http://www.fusiondesk.com/help/contact.html</a>
<a href="#">GanttProject</a>	GanttProject Team	Free	Downloadable	PC & Mac	GanttProject is a cross-platform desktop tool for project scheduling and management. It runs on Windows, Linux and MacOSX, it is free and its code is opensource.	N/A	<a href="mailto:contact@ganttproject.biz">contact@ganttproject.biz</a>
<a href="#">Genius Project Enterprise PPM</a>	Genius Inside (IBM Partner)	Contact for Quote (Free trial available)	Software	PC Only	Genius Project Enterprise Edition is a comprehensive project portfolio management solution providing executives, PMOs and project leaders with a 360 degree view of their portfolios, projects and resources. Leveraging best-in-class PPM functionality, Genius Project strategically aligns all project activities with an organization's corporate objectives.	(866) 877-4364	<a href="mailto:sales_us@geniusinside.com">sales_us@geniusinside.com</a>
<a href="#">Glasscubes</a>	Glasscubes	\$0-\$199 (Free trial available)	Web-based	PC & Mac	Glasscubes helps make project management a simpler process using tasks, workspaces and calendars. Legal professionals use Glasscubes to help keep their clients up to date and securely share files - improving efficiency.	+44 (0) 20 7873 2275	<a href="mailto:nick.f@glasscubes.com">nick.f@glasscubes.com</a>
<a href="#">Goplan</a>	Webreakstuff	\$10-\$80 (Free trial available)	Web-based	PC & Mac	Goplan (online projecgt management inteface) lets you keep track of your projects and collaborate with your colleagues securely through an intuitive user interface.	+35 12 3940 4167	<a href="mailto:support@goplanapp.com">support@goplanapp.com</a>
<a href="#">Huddle</a>	Ninian Solutions Ltd	\$15-\$200 per month (Free trial available)	Web-based	PC & Mac	Starting at just \$15/month, Huddle.net provides all the collaboration, sharing and project tools you need to get your team, partners and clients working together, regardless of where they are.	(415) 376-0870	<a href="mailto:sales@huddle.net">sales@huddle.net</a>
<a href="#">HyperOffice Collaboration Suite</a>	Hyper Office	\$44.99-\$1,499.99 per month (Free trial available)	Software or Web-based	PC & Mac	Only HyperOffice delivers a fully integrated suite of tools to improve business productivity. Still emailing to share information? Step up to Total Collaboration. HyperOffice is fully hosted, totally customizable, and includes free support.	(301) 255-0018; (800) 434-5136	<a href="http://www.hyperoffice.com/contact-form/?part=sales&amp;subject=Sales">http://www.hyperoffice.com/contact-form/?part=sales&amp;subject=Sales</a>
<a href="#">InLoox</a>	IQ medialab	\$417.48-\$2,248.99	Software	PC Only	The project management software integrated in Microsoft Outlook	+49 (89) 323 919 22	<a href="http://www.inloox.com/about-us/contact-us/">http://www.inloox.com/about-us/contact-us/</a>
<a href="#">JIRA</a>	Atlassian Pty Ltd.	\$10-\$800 per month	Downloadable or Web-based	PC Only	JIRA provides issue tracking and project tracking for software development teams to improve code quality and the speed of development. Combining a clean, fast interface for capturing and organising issue with customisable workflows, OpenSocial dashboards and a pluggable integration framework, JIRA is the perfect fit at the centre of your development team.	(415) 701-1110	<a href="mailto:sales@atlassian.com">sales@atlassian.com</a>
<a href="#">Kayako SupportSuite</a>	Kayako Infotech Ltd.	\$39.95-\$499.95 (Free trial available)	Software	PC & Mac	SupportSuite is helpdesk software that provides you with the tools needed to quickly set up a seamlessly integrated, coherent support platform, saving you and your business time and money, decrease your response times and increase the efficiency of your online operation.	(888) 212-2140	<a href="https://support.kayako.com/index.php?_m=tickets&amp;_a=submit&amp;step=1&amp;departmentid=4">https://support.kayako.com/index.php?_m=tickets&amp;_a=submit&amp;step=1&amp;departmentid=4</a>
<a href="#">KForge</a>	Same	Free	Downloadable	PC Only	KForge is free and open source project hosting software. KForge integrates a variety of common applications with a flexible and robust project management and access control mechanism.	N/A	<a href="http://www.kforgeproject.com/download/">http://www.kforgeproject.com/download/</a>
<a href="#">KPlato</a>	KDE	Free	Downloadable	PC & Mac	KPlato is a project management application. It is intended for managing moderately large projects with multiple resources.	N/A	<a href="http://www.kde.org/support/">http://www.kde.org/support/</a>
<a href="#">Launchpad</a>	Canonical Ltd.	Free	Software	PC & Mac	Launchpad is a software collaboration platform that provides: Bug tracking, Code hosting using Bazaar, Code reviews, Ubuntu package building and hosting, Translations, Mailing lists, Answer tracking and FAQs, Specification tracking	N/A	<a href="mailto:feedback@launchpad.net">feedback@launchpad.net</a>
<a href="#">LiquidPlanner</a>	LiquidPlanner	\$25-\$35 per month per user (Free trial available)	Web-based	PC & Mac	Easy + Professional = A Complete Planning Solution. Online project management software for scheduling, collaboration, and time-tracking in one easy package. The result for your team: fewer meetings, less e-mail, less re-work and more project wins. Boasts that this software is very adaptable to unexpected changes.	(800) 971-1601	<a href="mailto:sales@liquidplanner.com">sales@liquidplanner.com</a>

Product Name	Software Company	Price	Platform	Compatibility	Description	Phone	Email/Contact URL
<a href="#">MatchWare Mindview</a>	MatchWare Inc.	\$389-\$3501 (Free trial available)	Software	PC & Mac	MatchWare MindView lets you use Mind Mapping to help every member of your team fully understand the project, contribute to planning, follow the project timeline and clearly visualize all tasks in an organized manner. It lets you take notes "on-the-fly" for criteria or risk management and allows you to attach relevant files to each task in your Mind Map. Received TopTenREVIEWS Silver Award.	(800) 880-2810	<a href="mailto:usa@matchware.com">usa@matchware.com</a>
<a href="#">Merlin 2.7</a>	ProjectWizards	\$199 (Free trial available)	Software	Mac Only	Merlin is the leading professional project management solution which delivers the tools necessary to manage any project on time and on budget. Best of all, Merlin is intuitive, easy to use and offers a variety of options to help you plan, take control, collaborate and complete your project successfully.	+49 54 22 95 9208	<a href="mailto:sales@merlin2.net">sales@merlin2.net</a>
<a href="#">MicroPlanner X-Pert</a>	Micro Planning International Inc.	\$49.95-\$3,995	Downloadable	PC & Mac	Our products are designed to support the entire organization for the complete project life cycle. Whether you're a full-time project manager or an occasional user of project management techniques, Micro Planning has the right product for you.	(800) 852-7526	<a href="mailto:sales@microplanning.com">sales@microplanning.com</a>
<a href="#">Microsoft Project 2007</a>	Microsoft Corporation	\$599.95-\$999.95 (Upgrade \$349-\$549)	Software	PC & Mac	Microsoft Project 2007 gives you robust project management tools with the right blend of usability, power, and flexibility, so you can manage projects more efficiently and effectively. You can stay informed and control project work, schedules, and finances, keep project teams aligned, and be more productive through integration with familiar Microsoft Office system programs, powerful reporting, guided planning, and flexible tools.	N/A	<a href="http://support.microsoft.com/ph/11381">http://support.microsoft.com/ph/11381</a>
<a href="#">Milestones Professional</a>	KIDASA Software Inc.	\$80-\$2,400 (Free trial available)	Software or Downloadable	PC Only	When you manage and schedule projects you need software that is powerful, fast and easy to use; project management software that lets you organize your project, sell your ideas, streamline your work and track results.	(512) 328-0167, (800) 765-0167	<a href="mailto:sales@kidasa.com">sales@kidasa.com</a>
<a href="#">Mingle</a>	ThoughtWorks Studios	Free (1 year trial)	Downloadable	PC & Mac	Mingle® adapts your company's process to Agile best practices, and helps your teams stay on top of evolving requirements in collaboration with business users. As a system-of-record for all software initiatives, it presents the actionable insight you need in order to ensure they make it to market fast.	(312) 543-2599	<a href="mailto:studios@thoughtworks.com">studios@thoughtworks.com</a>
<a href="#">MinuteMan Systems</a>	MinuteMan Systems	\$49.95-\$109.95 (Free trial available)	Downloadable	PC & Mac	Minuteman Systems creates easy to use, inexpensive project management software. Easily create Gantt Charts, PERT Charts, Schedules, Reports and more. Critical Path and Method Project Planning are two project management software packages to meet your budget and needs. A great alternative to Microsoft Project!	N/A	<a href="mailto:info@minuteman-systems.com">info@minuteman-systems.com</a>
<a href="#">O<sup>3</sup>Spaces</a>	O <sup>3</sup> Spaces BV	Contact Sales for US pricing (Free trial available)	Software	PC & Mac	O3Spaces Workplace offers a fresh approach to document management and document collaboration. With ease of use and end user adoption in mind, O3Spaces Workplace seamlessly integrates its functionality into your every day office work. It provides a centralized and secure document repository, in which your organization's files are stored. Based on roles and permissions, individual users, groups or departments can be granted access to files, folders, workspaces, dossiers and cases.	+31 182 680 269	<a href="mailto:US@o3spaces.com">US@o3spaces.com</a>
<a href="#">OmniPlan</a>	The Omni Group	\$149.95-\$225 (Free trial available)	Downloadable	Mac Only	OmniPlan is a program designed to help you create logical, manageable project planning documents. With OmniPlan you can break down tasks, optimize the resources needed for your project, control costs, and monitor your entire project at a glance. OmniPlan provides features like Gantt charts, schedules, summaries, milestones, and critical path highlighting to let you manage all your activities. From customizable views to fast data entry, OmniPlan helps you manage complex projects without requiring you to learn a complex software program.	(206) 523-4152	<a href="mailto:sales@omnigroup.com">sales@omnigroup.com</a>
<a href="#">Onit (Legal Edition)</a>	Onit	Free	Web-based	PC & Mac	Onit provides an instant, effective, and simple method for tracking progress on deals, transactions, cases, and litigation; sharing status updates; communicating goals; and managing your budget. Onit works effortlessly with your Internet browser, your iPhone, and your Outlook e-mail. In fact, updating project status with Onit is a lot like updating personal status on Facebook or Twitter, delivering high impact with minimal disruption.	(800) 281-1330	<a href="http://www.onit.com/contact-us.html">http://www.onit.com/contact-us.html</a>

Product Name	Software Company	Price	Platform	Compatibility	Description	Phone	Email/Contact URL
<a href="#">Open Workbench</a>	CA's Clarity Division	Free	Downloadable	PC only	Open Workbench is an open source Windows-based desktop application that provides robust project scheduling and management functionality and is free to distribute throughout the enterprise. When users need to move beyond desktop scheduling to a workgroup, division or enterprise-wide solution, they can upgrade to CA's Clarity™ system, a project and portfolio management system that offers bidirectional integration with Open Workbench.	N/A	<a href="mailto:webmaster@openworkbench.org">webmaster@openworkbench.org</a>
<a href="#">OpenProj</a>	Serena Software, Inc	Free	Downloadable	PC & Mac	Microsoft Project. For Free. OpenProj is the #1 open source project management application on the planet. With more than one million users, only Microsoft Project has more users. Speaking of Microsoft Project, OpenProj does everything that Project does. It also adds a few tricks Project hasn't learned: it works on Windows, Mac, Unix and Linux. And it's completely free. We're thinking Microsoft won't teach Project that trick any time soon.	(800) 547-7827	<a href="http://www.serena.com/pages/campaigns/10namult_info_and-request-form/index.html?Campaign_Id=46947&amp;Activity_Id=35792">http://www.serena.com/pages/campaigns/10namult_info_and-request-form/index.html?Campaign_Id=46947&amp;Activity_Id=35792</a>
<a href="#">P2ware Planner</a>	P2ware Sp.	Contact for Quote	Downloadable	PC Only	P2ware Planner Suite is a set of very effective tools to plan and manage projects and programs, exploiting advantages of product based planning. It is a fully functional planning tool allowing to prepare plans with the Product Based Planning Technique recommended in PRINCE2™ but also very useful while using other project management methods and standards such as PMBOK® PMI®.	N/A	<a href="mailto:office@p2ware.com">office@p2ware.com</a>
<a href="#">PeopleSoft Project Portfolio Management</a>	Oracle	Contact for Quote	Downloadable	PC & Mac	Oracle's PeopleSoft Project Portfolio Management helps organizations evaluate, analyze, prioritize, and select the right set of projects supported by financial goals, strategic goals, and available funds. Project Portfolio Management will help your organization make the right business decisions when your environment changes due to budgetary or strategy adjustments, mergers and acquisitions, and competitive positioning. With Project Portfolio Management, CIOs, CEOs, and CFOs speak the same language, share risk, and collaborate in the investment decision-making process so they can make smart decisions about which projects are critical to corporate success.	(800) 633-0738	<a href="mailto:oraclesales_us@oracle.com">oraclesales_us@oracle.com</a>
<a href="#">Planisware 5</a>	Planisware	Contact for Quote	Web-based	PC & Mac	Planisware 5 is an Enterprise Project Portfolio Management – or Corporate Portfolio Management (CPM) – software solution that supports the end-to-end governance of companies' entire project portfolios, from financial and resource information to product development lifecycle management. Planisware 5 enables our customers to define and manage their long-term plans – often referred as project portfolio management, as well as implement corporate strategies at operational levels, to achieve project management execution excellence. Planisware 5 is geared to large and mid-sized organizations: typical installation range from about one hundred to tens of thousands users.	(888) 752-6479	<a href="mailto:info@planisware.com">info@planisware.com</a>
<a href="#">Planner Suite</a>	Gislen Software	Contact for Quote	Software	PC only	Planner Suite is a holistic Project Management, Portfolio and Productivity improvement solution, which lets you plan multiple projects, allocate tasks, track project progress, view and analyse project performance, integrate processes and projects and ensure process adherence, report time, and invoice billable hours. Planner Suite helps you to always have a high utilization rate while distributing tasks equally between your staff members.	+46 8 55 11 4484	<a href="http://www.plannersuite.com/ContactUs/tabid/242/Default.aspx">http://www.plannersuite.com/ContactUs/tabid/242/Default.aspx</a>
<a href="#">Primavera P6 Enterprise Project Portfolio Management</a>	Oracle	Contact for Quote	Downloadable	PC & Mac	Oracle's Primavera P6 Enterprise Project Portfolio Management is the most powerful, robust, and easy-to-use solution for globally prioritizing, planning, managing, and executing projects, programs, and portfolios. Primavera P6 Enterprise Project Portfolio Management is an integrated project portfolio management (PPM) solution comprising role-specific functionality to satisfy each team member's needs, responsibilities, and skills. It provides a single solution for managing projects of any size, adapts to various levels of complexities within a project, and intelligently scales to meet the needs of various roles, functions, or skill levels in your organization and on your project team.	(800) 633-0738	<a href="mailto:oraclesales_us@oracle.com">oraclesales_us@oracle.com</a>



Product Name	Software Company	Price	Platform	Compatibility	Description	Phone	Email/Contact URL
<a href="#">Project Insight</a>	Metafuse, Inc.	Contact for Quote	Web-based	PC & Mac	Project Insight is the leading web-based project management software solution in the mid-market. Many high end portfolio and project management software products are either too expensive or too complicated for project teams. Many low end project management software programs lack functionality for the more experienced project manager. Project Insight project management software bridges savvy project managers, who require powerful project management features, with team members that want easy to use project management software.	(949) 476-6499	<a href="http://www.projectinsight.net/RequestInfo/default.aspx">http://www.projectinsight.net/RequestInfo/default.aspx</a>
<a href="#">Project Kickstart Pro 5</a>	Experience In Software, Inc	\$299 (Free trial available)	Software	PC Only	Useful for basic project management but does not have as many features as Microsoft Project and Matchware Mindview	(800) 678-7008	<a href="mailto:sales@projectkickstart.com">sales@projectkickstart.com</a>
<a href="#">Project.net</a>	Project.net	Contact for Quote	Web-based	PC & Mac	Project.net unifies blogs and wikis naturally into the project management workflow, maximizing collaboration between team members. The resulting content-rich project record provides project managers, the project management office (PMO) and executive staff the extended information needed for both effective day-to-day project tracking and high-level strategic decisions.	(617) 621-0060	<a href="mailto:sales@project.net">sales@project.net</a>
<a href="#">ProjectPier</a>	ProjectPier	Free	Downloadable or Web-based	PC & Mac	ProjectPier is a Free, Open-Source, self-hosted PHP application for managing tasks, projects and teams through an intuitive web interface. ProjectPier will help your organization communicate, collaborate and get things done Its function is similar to commercial groupware/project management products, but allows the freedom and scalability of self-hosting. Even better, it will always be free.	N/A	<a href="http://www.projectpier.org/contact/">http://www.projectpier.org/contact/</a>
<a href="#">ProjectXecute</a>	Journyx, Inc.	Contact for Quote			Want to move beyond planning projects to actually executing them successfully? Journyx ProjectXecute unites projects, initiatives and organizational planning with resource workload management, tracks execution and alerts you instantly when projects are in danger.	(512) 834-8888; (800) 755-9878	<a href="mailto:info@journyx.com">info@journyx.com</a>
<a href="#">QuickBase</a>	Intuit, Inc.	Starts at \$299. Contact for Quote (Free trial available)	Web-based	PC & Mac	QuickBase is a secure and powerful online database, brought to you by Intuit — the maker of TurboTax, QuickBooks, Quicken, and other software tools known for ease-of-use. Easily manage business information online - anytime, anywhere access to over 200 Web applications, including Project Management, CRM, Issue Tracking, and many others Increase organizational productivity by sharing real-time information with coworkers, clients, and suppliers. Easier communication and collaboration helps keep everyone on the same page. Flexible, powerful and secure — right for any size business — big or small. #1 online database — winner of PC Magazine's Editor's Choice Award, used by over 300,000 individuals	(650) 944-6000	<a href="http://quickbase.intuit.com/contact-us/">http://quickbase.intuit.com/contact-us/</a>
<a href="#">RationalPlan Single/Multi Planner</a>	RationalPlan	\$57-\$98 per license	Software	PC & Mac	RationalPlan is a powerful project management software designed to help both project managers and teams to create consistent project plans, allocate resources and analyze workload, track work progress, estimate projects' costs and manage budgets. Whether your applications are in the area of construction, engineering, services&consulting, software development or any other business field, RationalPlan can help you to complete your projects on time and within budget.	N/A	<a href="mailto:support@rationalplan.com">support@rationalplan.com</a>
<a href="#">Redmine</a>	Redmine	Free	Web-based	PC & Mac	Redmine is a flexible project management web application. Written using Ruby on Rails framework, it is cross-platform and cross-database. Multiple projects support; Flexible role based access control; Flexible issue tracking system; Gantt chart and calendar; News, documents & files management; Feeds & email notification; Time tracking; Custom fields for issues, time-entries, projects and users; SCM integration (SVN, CVS, Git, Mercurial, Bazaar and Darcs); Issue creation via email; Multiple LDAP authentication support; User self-registration support; Multiple databases support.	N/A	<a href="mailto:jp_lang@yahoo.fr">jp_lang@yahoo.fr</a>

Product Name	Software Company	Price	Platform	Compatibility	Description	Phone	Email/Contact URL
<a href="#">Service Desktop Pro</a>	Webtech Softwares & Services Ltd	\$99.95 (Free trial available)	Software	PC & Mac	Service Desktop Pro is an integrated Business and Personal Information Management Software. Basically aimed at IT Service Providers, Freelancers, Small Business Managers, Consultants, Web Developers and Software Developers, this tool can be extremely useful for all types of business managers for managing their day-to-day business activities. It's tightly integrated and flexible modules allow you to handle most aspects of managing your business flow. Simplicity and ease of use are the key benefits of Service Desktop Pro. Be it a small time freelancer or a medium size company, this software can be used by anybody. Lacks many features including timelines, statistics, resource work load, budgeting options and templates that aren't vital, but could make managing your projects easier. Flat rate charge includes updates and email support.	+91 33 40068162	<a href="mailto:contact@servicedesktop.com">contact@servicedesktop.com</a>
<a href="#">SharedPlan Pro</a>	SharedPlan Software, Inc.	\$99.95 per user	Software	PC & Mac	Whether or not you're a veteran project manager, SharedPlan provides you with powerful yet easy to use project management tools that support the success of your projects.	(303) 569-8258	<a href="mailto:info@sharedplan.com">info@sharedplan.com</a>
<a href="#">Smartsheet</a>	Smartsheet.com	\$9.95-\$149 per month (Free trial available)	Web-based	PC & Mac	Smartsheet is flexible - setup your project and track progress the way you want to. With Smartsheet, you are in complete control of your projects: Import from Microsoft Project or Excel, tasks and sub tasks (multiple-levels), Gantt Chart, Grid and Calendar view options, customizable project fields and time tracking. Smartsheet doesn't just look good in the kickoff meeting. It makes it easy to collaborate with others to get work done: On-line sharing, file attachments on any task, discussion & comments, notifications & reminders and updates via email. You can also report across multiple projects, filter by person, status or due date, highlight recent changes, send status reports via email (ad hoc or scheduled) and view history of changes.	(425) 283-1870	<a href="http://www.smartsheet.com/contact">http://www.smartsheet.com/contact</a>
<a href="#">Task Merlin</a>	Interfathom	\$49-\$6,9000 (Free trial available)	Software	PC only	With TaskMerlin, you can quickly enter information and organize it however you want. Drag-and-drop tasks into project folders. Filter and sort tasks according to status, content and other criteria. Modify status information and content in place (no need to open a new window). Edit multiple tasks at once. Move seamlessly between the integrated task and calendar views	N/A	<a href="mailto:admin@taskmerlin.com">admin@taskmerlin.com</a>
<a href="#">TaskJuggler</a>	TaskJuggler	Free	Downloadable	Linux Only	TaskJuggler is a modern and powerful, Free and Open Source Software project management tool. Its new approach to project planing and tracking is more flexible and superior to the commonly used Gantt chart editing tools. It has already been successfully used in many projects and scales easily to projects with hundreds of resources and thousands of tasks. TaskJuggler is project management software for serious project managers. It covers the complete spectrum of project management tasks from the first idea to the completion of the project. It assists you during project scoping, resource assignment, cost and revenue planing, risk and communication management.	N/A	<a href="http://www.taskjuggler.org/forum.php">http://www.taskjuggler.org/forum.php</a>
<a href="#">Teamcenter 8</a>	Siemens Product Lifecycle Management Software Inc.	Contact for Quote	Software	PC & Mac	Teamcenter connects people throughout the lifecycle with a single source of product and process knowledge. Teamcenter's comprehensive portfolio of end-to-end PLM solutions gives you the flexibility to choose the right mix of solutions for your business needs. Teamcenter 8 introduces a powerful new set of capabilities to increase productivity, from new Microsoft Office and Outlook integration to pre-configured IBM technology.	(800) 498-5351	<a href="http://www.plm.automation.siemens.com/en_us/about_us/contact/request_information.cfm">http://www.plm.automation.siemens.com/en_us/about_us/contact/request_information.cfm</a>
<a href="#">Teamwork</a>	Open Lab	\$42-\$957 (Free trial available)	Web-based	PC & Mac	Teamwork is a proven, reliable and friendly web based software solution for managing work and communication in any field. Groupware and project management features are used in an integrated environment, from which you can coordinate and manage hundreds of projects at once. Teamwork is easy to use, so that an extended team can contribute; it is also capable of handling complex projects.	+39 055 5522779	<a href="mailto:info@twproject.com">info@twproject.com</a>



Product Name	Software Company	Price	Platform	Compatibility	Description	Phone	Email/Contact URL
<a href="#">Tenrox</a>	Workforce Management Solutions	Contact for Quote (Free trial available)	Software	PC & Mac	Tenrox is a veteran web-based project management software provider. Use simple and effective workflow tools that simplify your project planning, time and expense tracking, project cost and billing, and resource scheduling with Tenrox web based project management software. Designed for speed and to reduce complexity, this workflow-driven software replaces the spreadsheets and silo-ed applications that leave your project-driven work force and work processes disconnected.	(626) 796-6640	<a href="mailto:info@tenrox.com">info@tenrox.com</a>
<a href="#">Tracker Suite</a>	Automation Centre	Contact for Quote (Free trial available)	Web-based	PC & Mac	TrackerSuite.Net is a suite of integrated, modular applications for Web based project management, help desk, time and expense reporting, purchasing, check request automation, invoicing, asset management, resource management and reporting. TrackerSuite.Net Web applications are accessed via Microsoft Internet Explorer, or through Firefox (with the use of a plug-in). TrackerSuite.Net can integrate with other project management software applications including Microsoft Project, most popular CRM applications and virtually any other Service Oriented Architecture (SOA) compatible enterprise platform.	(520) 882-9287	<a href="mailto:info@Acentre.com">info@Acentre.com</a>
<a href="#">VIP Team To Do List</a>	VIP Quality Software, Ltd	\$99.95-\$499.95	Downloadable	PC only	VIP Team To Do List is a professional time and task management software for managing projects, workflow, and resources in small and midsize business. It enables team leaders and team members to create, manage and share to-do lists within the team by e-mail. It is simply a to-do list without any real project management functions.	+380 48 236 5965	<a href="mailto:support@todolistsoft.com">support@todolistsoft.com</a>
<a href="#">VPMi</a>	VCSONline	\$10-\$30 per user per month (Free trial available)	Software	PC & Mac	VPMi starts with a better way to manage projects through a lifecycle from cradle to grave. VPMi Project Management Software includes core features: Timesheets, Earned Value, MS Project integration, issues, changes, risks, document management, financials, status reporting, feedback/collaboration, email updates, prioritization, and financials.	N/A	<a href="mailto:sales@vcsonline.com">sales@vcsonline.com</a>
<a href="#">WorkPLAN Enterprise</a>	Sescoi USA Inc	Free	Software	PC only	WorkPLAN Enterprise was developed to meet the requirements and replicate the specific procedures of your industry. Time, manpower, materials, resources and cash flow: WorkPLAN Enterprise optimizes management of all your resources, giving you control.	(248) 351-9300	<a href="mailto:info@sescoi.com">info@sescoi.com</a>
<a href="#">Workspace.com</a>	Workspace.com, Inc	Contact for Quote (Free trial available)	Web-based	PC & Mac	Workspace.com is a project platform for technology teams. It provides a suite of eight project-oriented applications built on a powerful foundation of core services that connect teams and their data. Having all your critical project data in a single workspace, from requirements to defects, is an incredibly powerful benefit. Get started now by creating your own personalized workspace. Choose any combination of workspace apps, and add new ones whenever they're needed. Best of all, pay only for the apps you need.	(888) 245-9168	<a href="mailto:sales@workspace.com">sales@workspace.com</a>
<a href="#">Wrike Practical Project Management</a>	Wrike, Inc.	\$9.95-\$19.95 (Free trial available)	Web-based	PC & Mac	Supervision and coordination are a breeze with Wrike. It takes only seconds to create a task (via email), give feedback or reassign a task. Thanks to Wrike's Dynamic Timeline with dependencies and drag-and-drop support, you can schedule and update the plan in one click. Wrike puts you in control of your projects. It lets you track project progress by receiving a daily digest email, tracking time spent on tasks and building real-time cross-project reports.	(650) 318-3551	<a href="mailto:sales@team.wrike.com">sales@team.wrike.com</a>
<a href="#">Zoho Projects</a>	Zoho Corp	\$0-\$199 per year	Software	PC & Mac	Goes beyond the traditional project management space. Of course Zoho Projects offers planning and reporting capabilities, but it goes beyond just that - it is social. Why 'social'? It brings everyone in your project team together and helps them get the project done. Post files in a centralized place, make quick decisions using the integrated group chat, get the conversation going with the collaborative discussion boards. With the Project Wiki you can even quickly create and publish webpages, embed videos and other media - use it to create a project intranet.	(888) 900-9646	<a href="mailto:info@zohocorp.com">info@zohocorp.com</a>