Class Action Data - CHECKLIST

Every action deals with numerosity of both plaintiffs and data.

Data can help you achieve an optimal result for the client, but only if you are ready. As we often say; "Know the data. Control the narrative." Win the case. Here are the top seven things to consider early and throughout the case to help ensure the data is on your side.

1. Have You Identified All Your Data Sources?

Understand all potential data sources that could inform the case. Even if you don't plan to collect from them immediately, preserving these sources is crucial to protect against data loss or future disputes. Do not forget: your opponents or a third party may have data you require.

2. Do You Understand the Putative Class?

Who is in / out may be fluid during the litigation (e.g., titles, location, dates of employment, etc.), so understanding the nuances and how that can impact the scope of data coverage for each source early is critical to prevent any flawed analyses. Identify retention periods, transition dates from legacy systems, and any other factors impacting the presence of employees across each source for a given time period.

3. Are You Prioritizing the Most Impactful Data Sources?

Focus on the top 3 to 5 sources that can drive early strategy and settlement discussions. Start with those that can provide the most insight, shaping both your case and negotiations.

4. Do You Fully Understand the Fields Used for Filtering?

Ensure you grasp the meaning and application of any field used for filtering data. For example, a check date might need a buffer if the activity it pays for occurred before the check's issue date, preventing potential misinterpretations.

5. Have You Performed Blind Quality Checks on Your Data?

Verify that what you requested matches what you received. Ask clear questions about the number of records and fields, rather than just confirming totals to ensure nothing was misunderstood or incorrectly provided.

6. Are You Cross Validating Data Sources?

Look for correlations between different data sets to confirm consistency. Matching employment dates with pay data can help catch discrepancies and reinforce the integrity of your data.

7. Are You Producing in a Standardized Format?

Data should be produced to other parties in a standardized format that allows for record-level traceability. Data should be produced in such a manner that allows for analysis, not creating new burdens (e.g., don't produce data as a PDF). For improved transparency and understanding by all parties, a cover sheet for each data set can often be helpful to prevent unnecessary questions about the data.

Know the data.
Control the narrative.

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