

# CASE STUDY

Legal Drafting



A circular inset image in the top left corner shows a library with rows of books on shelves and a wooden ladder leaning against them. The letters 'e', 'd', and 'c' are visible on the left side of the image.

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## THE CASE

In a case involving conspiracy for market manipulation through a commercial bribery scheme, a U.S. law firm (the “Client”) represented a XYZ company (the “Company”) who was alleged to have conspired with various other market players in a commercial bribery scheme to rig bids. It was alleged by the plaintiff that a multi-billion-dollar market was impacted by the bid-rigging and commercial bribery conspiracy. The complaint had quite a few defendants named in it, including the Company. The court, therein, allowed the so named defendants to file a joint Memorandum of Law in Support of their Motion to Dismiss, and individual Motions if the individual defendants so require. The Client was in favor of filing both, the joint Memorandum of Law and an individual Memorandum of Law.

## THE INSTRUCTIONS

The Client retained SKJ Juris to draft two Memorandums of Law in Support of a Motion to Dismiss – a joint Memorandum of Law and an individual Memorandum of Law. The individual Memorandum of Law had to be not more than 8 pages.

## THE CHALLENGES

The challenge was to draft an individual Motion Brief of 8 pages in response to a 65-page complaint highlighting the defects in the allegations against the Company, and to draft an all-encompassing joint Motion Brief of around 30-40 pages, within a tight deadline.



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## **THE APPROACH**

At SKJ Juris, the team comprises of Indian attorneys who are thoroughly trained in U.S. Laws, by U.S. attorneys. At the outset of a project, ordinarily, the Project Manager briefs the team about the intricacies and nature of the case. After having understood and analyzed the details, the trained research team turns to Lexis Advance, to engage in comprehensive legal research. The drafting team takes on the task of drafting simultaneously or after satisfactory completion of legal research. Any query or question is resolved by the Project Manager internally or by the Client in the matters requiring its attention. A 2-tier quality check process is implemented to provide a quality work product to the Client.

## **THE STRATEGY**

The execution team rigorously perused the documents provided by the Client which in this case were the Complaint, the Affidavits attached thereto, and the record in the State Court. Upon the completion of perusal of the documents, the research team took over the task of research on the identified legal issues followed by drafting of individual memorandum of law in support of Motion to Dismiss and a Joint Memorandum of law. Later on, the two Memorandums of Law underwent first line review and final quality check by the Project Manager to ensure that best quality work product is delivered to the Client. Despite the hardships, the team delivered the two Memorandums within the given deadline and with uncompromised quality.

## **THE RESULT**

The Client commended the team for the exceptional work product delivered under a very tight dead line, and also appreciated the team's dedication.