



Guide

Responding to Notices to Produce and Complex Information Requests

A practical readiness guide for legal, corporate and government teams managing documents, data and project records

Positioning

A practical guide for organisations responding to Notices to Produce, subpoenas, regulatory notices, inquiries, investigations, disputes and other formal information requests. It also addresses project records held in platforms such as Aconex.

Audience

Legal and inhouse counsel, compliance and risk teams, government agencies, records managers, project owners and business teams responsible for formal responses.

Purpose

Help teams understand what information they hold, preserve it before access changes, collect it defensibly, and review and produce it in line with legal obligations and applicable protocols.

Executive summary

Expert insight: A compulsory information request is not only a search exercise. It tests whether an organisation understands its information environment, legal risk, technology limits and ability to produce material defensibly under time pressure.

The risk is not only non-compliance. Incomplete collections, missing metadata, lost context, incorrect redactions or production issues can delay responses, increase review costs and weaken confidence in the process.

The strongest responses begin with three early actions:

1. **Translate the request** into a practical map of document categories, systems, custodians, dates and production requirements.
2. **Preserve context** before information is exported, altered, deleted, archived or decommissioned.
3. **Test production** requirements before review is complete, not at the delivery stage.



Responding to a Notice to Produce

What clients often do not realise

Watch point	Why it matters
Metadata	Dates, authors, recipients, versions, paths, IDs and transmission history can be evidence.
Native files	Spreadsheets, databases, drawings, emails and containers may need different handling from PDFs.
Families	Separating emails, attachments, transmittals or related versions can remove essential context.
Redaction	Visual masking is not enough; hidden text, comments and metadata must not remain recoverable.
Format	Numbering, metadata, load files, privilege logs, confidentiality and secure delivery may be prescribed.

Understand the risks and build the response

Hidden Risk Areas

Risk	What can go wrong	Better practice
Scope creep	Irrelevant material increases cost and delay.	Stage scope, sample results and document search criteria.
Former custodians	Accounts, devices or mailboxes may be inaccessible.	Identify them early and confirm repository status.
Collaboration data	Teams, SharePoint, chats and links may export differently.	Map each source and check retained metadata.
Privilege	Legal communications may sit in operational systems.	Set escalation, review and logging rules early.
Redaction	Masked text may remain searchable or recoverable.	Use proper tools and quality control checks.



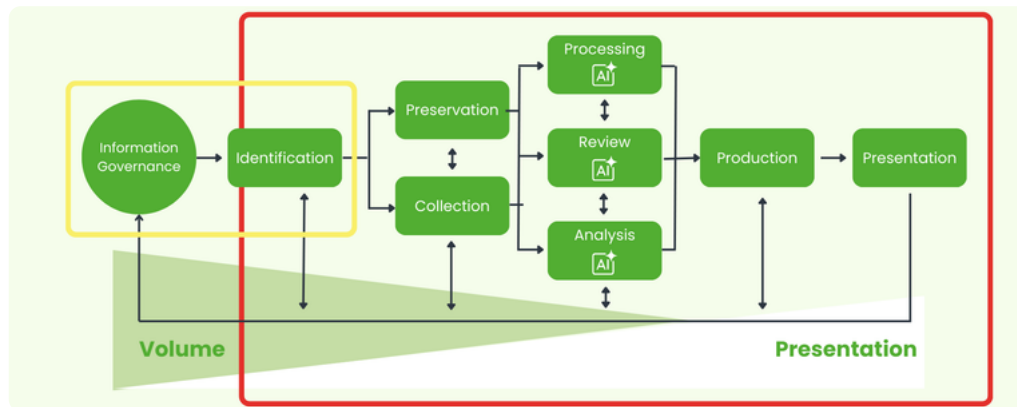
Common client challenges and practical solutions

Challenge	Meaning in practice	Practical solution
Where is the data?	It may span email, M365, Teams, archives, databases, devices, physical records and project platforms.	Map sources to request categories, custodians, owners and access risks.
The deadline is tight.	Rapid over-collection creates avoidable review volume.	Prioritise custodians, dates and samples; use Early Case Assessment.
Project data is in Aconex.	Versions, transmittals, workflows, mail and audit trails may be connected.	Define export scope and preserve relationships between records.
Privilege review is urgent.	Sensitive and privileged material may be mixed with business records.	Use flags, escalation rules, redaction guidance and quality checks.
Production is complete but the output is not accepted.	Required metadata, numbering, load files, native files, redactions or delivery formatting may not meet the requesting party's requirements.	Translate the protocol into a production specification early and test sample outputs before final delivery.

The eight step response framework

- 1 Clarify the trigger and scope:** identify the request type, categories, dates, custodians, systems and protocol.
- 2 Build the team:** include legal, records, IT, security, risk, business, project controls, document control and relevant project owners.
- 3 Map information:** cover email, M365, Teams, SharePoint, drives, devices, databases, physical records and project platforms. For Aconex, consider document registers, mail, transmittals, workflows, packages, revisions and audit trails.
- 4 Preserve early:** issue instructions and suspend deletion or decommissioning where required.
- 5 Collect defensibly:** record who collected what, when, where and by which method; keep families and project relationships intact.
- 6 Assess early:** use Early Case Assessment, filtering, sampling, deduplication, exception reporting and custodian analysis to understand data volumes, relevance, privilege risk, production effort and likely cost before review scales up.
- 7 Review securely:** apply relevance, privilege, confidentiality, redaction and quality control workflows.
- 8 Produce compliantly:** confirm format, metadata, numbering, native files, load files, markings and secure delivery; test samples first.

Responding to a Notice to Produce



Practical point: Large collections require more than technical extraction. Balance completeness, proportionality, cost and defensibility by defining priority custodians, systems, dates, file types, search terms, exceptions and whether staged collection can answer the request more efficiently.

Better practice: Start with a targeted pilot collection to test volume, relevance, metadata quality, accessibility and processing issues before scaling.

Watch point: identify compressed files, encrypted material, unsupported file types, duplicate records, superseded versions and incomplete exports early through exception reporting so they do not become production issues close to the deadline.

Prepare, produce and improve readiness

Royal Commissions, inquiries and major investigations

These matters can require rapid, repeated responses across broad subject areas. Build for scale, transparency and continuity rather than a single deadline.

Central response function

coordinate notices, deadlines, data sources, productions and reporting.

Repeatable playbook

standardise scoping, preservation, collection, review, privilege, redaction, quality control and production.

Rolling productions

Prepare for follow up requests, supplementary productions and evolving search terms as the investigation develops.

Live request register

track owners, scope, status, risks, decisions and production history.

Institutional knowledge

retain assumptions and decisions so the response can be explained later.

Why organisations struggle

Most organisations do not struggle because the information does not exist. They struggle because information is fragmented, ownership is unclear, preservation starts too late or production requirements are misunderstood. A technically complete collection can still fail if it cannot be searched, reviewed, redacted, loaded or explained.

Production protocols: confirm early

Watch point

Read the protocol before review begins. Confirm requirements for native files, searchable PDFs or images, load files, metadata, document IDs, confidentiality, privilege claims, redactions, deduplication, email threading and secure transfer.

Common mistakes to avoid

- **Waiting until a request arrives;** readiness is most valuable before deadlines are active.
- **Over-collecting** without staged scoping, sampling or Early Case Assessment.
- **Starting preservation with IT alone** without legal, records and business context.
- **Separating metadata, versions, attachments or transmittals** from the records they explain.

Aconex and project-platform considerations

The meaningful project record may include document versions, revisions, mail, transmittals, workflow approvals, access restrictions, event logs and audit trails. The objective is not only to export files, but also to preserve the relationships that explain what was issued, received, approved, superseded or discussed.

Issue	Why it matters	Action
Export scope	A narrow export can miss context; a broad export can inflate cost.	Define project, package, dates, document types and issues first.
Versions	Superseded records may show timing and decision-making.	Confirm whether current, historical or both are required.
Relationships	Transmittals and workflows can give documents their meaning.	Preserve links between documents, correspondence and history.
Metadata	Loss can undermine search, chronology and defensibility.	Capture fields, export records and exception logs.
Review readiness	Project platforms are not designed for privilege review, redaction and production.	Process project data into a secure review platform with quality control.



Responding to a Notice to Produce

Client readiness checklist

Area	Ready when...	Status
Governance	A response lead and escalation path are nominated.	☐ Ready ☐ Action
Team	Legal, records, IT, risk, business and project roles are clear.	☐ Ready ☐ Action
Data map	Custodians, repositories, archives and project systems can be located quickly.	☐ Ready ☐ Action
Preservation	Deletion, archiving and account changes can be controlled where required.	☐ Ready ☐ Action
Collection	Source information, metadata and chain of custody are retained.	☐ Ready ☐ Action
Review	Relevance, privilege, confidentiality, redaction and quality controls are documented.	☐ Ready ☐ Action
Production	Format, metadata, numbering, native files, load files and secure delivery are tested.	☐ Ready ☐ Action
Project platforms	Where Aconex or similar platforms are involved, we can preserve versions, transmittals, workflows, correspondence and audit trails.	☐ Ready ☐ Action
Chain of custody	We record who collected data, when, from where, how it was transferred and any limitations or exceptions.	☐ Ready ☐ Action
Early Case Assessment	We can use sampling, filtering, deduplication and exception reporting to reduce unnecessary review volume.	☐ Ready ☐ Action
Major investigations	For Royal Commissions, inquiries or rolling requests, we maintain a request register, decision log and production history.	☐ Ready ☐ Action

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How Law In Order can support

Law In Order helps clients move from reactive production to a controlled, defensible response model through readiness planning, data-source mapping, preservation, collection, processing, Early Case Assessment, managed review, redaction, production validation and secure delivery. For project-data matters, support can include assessing Aconex export requirements while retaining critical context.

Next step:

A 60minute readiness workshop

A session with legal, records, IT, risk and project stakeholders can identify priority systems, likely custodians, project repositories, preservation gaps, production risks and actions required before the next formal request.

Practical response worksheet

Area	Question or client notes	Owner
Scope	Request, categories, dates, custodians and systems:	Legal
Preservation	Data to protect and deletion processes to suspend:	Legal / IT
Collection	Collection method, source records and chain of custody:	IT / Review
Review	Privilege, confidentiality, redaction and quality controls:	Legal / Review
Production	Format, metadata, naming, delivery and known risks:	Legal / Review
Response team	Response lead, advisers and key stakeholders	Legal
Data sources	Priority systems, repositories and project platforms	Legal / IT
Risks	Known gaps, dependencies or production risks	Legal / Review

Talk to us about support and solutions for your team.

Law In Order supports organisations at each stage of responding to a Notice to Produce, providing access to specialist knowledge and best-in-class eDiscovery and review technology, as needed. We are here to support teams in meeting submission deadlines, complying with procedural requirements, and managing costs effectively.

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