



## **L<sup>2</sup>TK™: PURPOSE**

When Maddin Hauser combined the firm's extensive experience in lending litigation and regulatory compliance to create **The Lending Litigation Toolkit™**, or **L<sup>2</sup>TK™**, our goal was simple:

*Create a sophisticated toolkit to help provide an **early and thorough** assessment of lending litigation claims so that our clients have the information necessary to reduce litigation carrying costs through the early identification of litigation objectives and actions.*

### **L<sup>2</sup>TK™: EARLY ASSESSMENT HELPS REDUCE LITIGATION COST**

Few things contribute to the cost of litigation like **delay**. To help reduce delay, Maddin Hauser identified the most common lending litigation claims and built **targeted testing modules** to assist with **early** and **accurate** claim assessments. **The L<sup>2</sup>TK™ process allows us to:**

- Quickly identify and gather critical documents and data
- Identify claims that could be targeted for early motions to dismiss
- Assess potential liability and exposure and other costs of defense
- If appropriate, identify any errors and recommend possible remediation scenarios
- Measure the claims against a "baseline" standard to identify trends and deviations from standard pleading practices

### **L<sup>2</sup>TK™: ACCURATE INFORMATION MEANS CONTROL**

Maddin Hauser built the L<sup>2</sup>TK™ process to **reduce delay** by providing clients with the **critical information** needed to **define and achieve litigation objectives** and **eliminate unnecessary delays**.

- For example, if an early assessment reveals that a claim may have merit, then our clients can decide early in the litigation – before attorney fees and other costs have a chance to build – whether to engage in early settlement discussions.
- On the other hand, if an assessment reveals that the claims lack any merit, our clients are well prepared to file early motions to dismiss those claims.



## L<sup>2</sup>TK™: OVERVIEW

The L<sup>2</sup>TK™ process helps Maddin Hauser provide clients with thorough claim assessments at the start of a case, providing the critical information required to make informed decisions without unnecessary delay:

1. Review. Maddin Hauser receives the complaint and identifies the claims at issue (including claims that may be added through later amendments).
2. Targeted Document and Data Gathering. Maddin Hauser applies the first part of the relevant L<sup>2</sup>TK™ modules, which help identify and expedite production of targeted documents and data needed to assess the actual claims. We also look for potentially relevant gaps in the available documentation.
3. Claim Assessment. Using the essential documents and data, we apply the second part of each module to test the actual claims. Our test questions help us accurately assess:
  - Potential liability
  - Whether to recommend early motions to dismiss
  - Valuation of any asserted claims (including comparison with anticipated cost of defense)
  - Assess the potential merit of any claims and, if appropriate, determine potential remediation scenarios

## L<sup>2</sup>TK™: LEVERAGE THE PROCESS

Maddin Hauser designed the L<sup>2</sup>TK™ testing modules based on **the latest legal developments** and the firm's **deep experience** handling lending litigation and regulatory compliance matters.

Our investment in the process yields several benefits for our clients, including avoiding “reinventing the wheel” with every new complaint. In fact, we update and improve our process on a regular basis to capture changes and trends in the area. These efforts help us ensure that we continue to provide genuine value and the best possible premium legal services.

Enhancing our ability to provide thorough claim assessments early in the case – so that our clients can identify litigation objectives and minimize costly **delays** – is just one example of our commitment to these principals.