

Expert view

An interview with Jen Keough, chief executive officer, JND



edge:

We're happy to welcome some of the newest members to the Sedgwick organization: JND Legal Administration. They're renowned in their field for integrity in leadership, excellence in service delivery and ingenuity in their proprietary offerings — and we're thrilled to bring their expertise into the fold. Speaking on their behalf today is Jen Keough, JND's founder and chief executive officer.

Give us a bit of your background, Jen. How did you get your start in the industry?

Jen:

I've lived in Seattle most of my life, which is where I began my law career and where JND is headquartered. Right out of high school I worked as a receptionist for a litigation firm to put myself through college. From there I became a paralegal, then a case manager, and that organically led me to law school. After graduation I began working at one of Seattle's largest law firms, mostly on high-profile product class action cases; there I was exposed to administration and ultimately recruited to join one of the largest legal administration firms in the country. That's where I met Neil and David, with whom I would go on to found JND.

edge:

Tell us more about the formation of JND with your partners, Neil Zola and David Isaac. What was it like to build a start-up business after coming, as each of you did, from such large firms?

Jen:

After working together for more than a decade, Neil, David and I had helped to grow our former company into the largest firm in the class action administration space. We had a real decision to make: Renew our contracts again as employees, or branch out and build our own company. We decided to put our money where our mouths were and started creating JND from the ground up. We wanted to build upon the things that had made

us successful, and to find new opportunities to streamline the process — which would ultimately allow us to better serve our clients and the courts. And we wanted to get into eDiscovery, which we saw as a natural fit with our class action practice.

Once we decided to make our move, it was a whirlwind. A lot of start-ups take six months, maybe a year, to build steam. We were up and running within a month or so with just the three of us — we built the system, started acquiring clients right out of the gate — so it was definitely a "go big or go home" mentality. Oh, and in the midst of that, I had twins!

edge:

We're tired just hearing about it! So, what was your mission as a new company? Has it evolved over the years?

Jen:

Our mission was always to be the firm that was hired to handle the largest and most complex matters in the legal industry, and to be the leading player in class action administration. In less than six years, we've done just that.

It's been possible, in large part, because at one time or another we were each clients of administration firms ourselves. We're huge believers in responsiveness and quality, because we know what it feels like to walk in the shoes of our own clients. We know how we'd want to be treated, and we bring that to each of our conversations.

People don't necessarily want to be sold something; they want the opportunity to learn something useful for their practice. Our clients come back because they really want that consultative relationship — along with our experience, of course — and appreciate that we take a lot of responsibility for the complicated work we're doing on their behalf.

edge:

Can you give us a crash course in what legal administration comprises?

Jen:

Legal administration, in the class action context, involves sending notice to all potential class members — which in some cases can be more than 100 million people — handling and processing the claims they

submit, and paying them. Those three steps are the basics but there is a ton of complexity, from handling hundreds of millions of pieces of data, to setting up interactive, claim-filing websites, to staffing and training telephone operators to handle varied and complex matters, and a myriad of associated tasks. And all that's happening while under pressure from major partners at law firms, federal judges, regulators, and other interested stakeholders.

edge:

And how then does eDiscovery fit into your work?

Jen:

eDiscovery is a different side of legal administration. Our class action administration business comes into play once a case is settled; eDiscovery is a stage that occurs during the middle of a litigation. Essentially

it refers to any discovery in legal proceedings where the information is provided electronically. When you think about what discovery looked like 25 or 30 years ago, there were literally thousands of documents that needed to be whittled down to the most pertinent "hot docs" that would go to trial. eDiscovery completely transformed that process. Now there are algorithms that can do that whittling for us, in a much quicker, more programmatic way.

edge:

What do you anticipate will be most useful, and most interesting, to Sedgwick's corporate clients about your work?

Jen:

Certainly the eDiscovery process. What's exciting about the eDiscovery market is that it doesn't rely on class action cases — any time any parties bring a lawsuit, there is eDiscovery. It's been called

a \$40 billion industry by some analysts. A large number of Sedgwick's corporate clients will have some kind of eDiscovery need; Sedgwick now has a dedicated resource they can trust implicitly to handle this work for them.

I think Sedgwick's clients might also be interested to learn that JND has an in-house media team supporting our class action cases. The first step in our process is sending notice to the class members, which can be done by direct mail, email or, where class members are not readily identifiable, through media like print, digital, television and radio. Our media team needs to do considerable research in all of our matters to decide the best way to reach the particular class members — I say it really is both a science and an art.

edge:

What made now the right time to join forces with Sedgwick?

Jen:

Sedgwick was one of several companies that approached JND in the last twelve or so months. We had resisted selling because, frankly, we thought we could continue to grow JND better on our own than with any partnership. But after meeting with Dave [North] and Mike [Arbour] we began to get super

excited that Sedgwick had the resources and connections to help us get to the next level. Our client base was a great fit for Sedgwick, we liked what the organization was doing with brand protection, and we knew eDiscovery was an important tool we could add to Sedgwick's already impressive toolbelt.

For me personally, creating a positive culture is just about the most important thing a company can do. A lot of the

people working with us now at JND have been with us in varying places for a decade or longer; it was crucial to me that whoever we sold to would treat our team the way we would. It had to be a good experience for them. I felt strongly — and still do — that Sedgwick's philosophies and beliefs matched ours. And I was confident that we could continue growing what we'd set out to build in the first place.

\$40 BILLION

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edge:

What kind of relationship do you see between JND's services and Sedgwick's work in brand protection?

Jen:

I see great synergy between brand protection and JND right off the bat — in fact, we're already working on two recalls together — and I think that partnership will just continue to evolve and grow. Brand protection comes in to service its clients before a class action happens; as brand protection handles the front end, JND is poised to step in if there's a class action and then a settlement.

edge:

Looking ahead, what new opportunities might this partnership bring Sedgwick's clients and partners? And what do you hope to see your role at Sedgwick becoming?

Jen:

In terms of new opportunities, I realize I am banging the same drum, but it's important: eDiscovery is needed everywhere. I think we'll also be of great service to Sedgwick clients as consultants. When faced with a class action, clients want to understand the

potential costs: If we settle this case for X, how many people will submit claims, etc. We can help advise clients on take rates and other nuances.

As for my own role... it's way too early to know. But I do know I'm delighted to be part of the Sedgwick leadership team. Ask me that question again in a few years!

JEN KEOUGH

As chief executive officer of JND, Jen oversees all business operations, from day-to-day processes to high-level strategy. She is an expert in all facets of class action administration, and has testified on settlement matters in courts across the country. With more than 20 years of legal experience, Jen has worked directly on hundreds of high-profile and complex administration engagements.

Jen formed JND with her partners in 2016; prior to that she was COO and executive vice president for one of the then-largest legal administration firms in the country. She's been named a female entrepreneur of the year finalist in the Stevie Awards for Women in Business, was recognized twice as a "Woman Worth Watching" by Profiles in Diversity Journal, and is a frequent speaker and content contributor concerning all manner of class action issues.