



Cardoza Law Firm Takes Plaintiff Litigation To The Next Level With Legal Analytics

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Attorney Mike Cardoza founded The Cardoza Law Corporation in California to protect victims of Credit Identity Theft and help everyday people ensure that their credit reports are accurate. An experienced trial lawyer, Mike describes himself as a student of plaintiff’s law for the last 23 years, during which he went to conventions, meetings, and events to keep his legal knowledge on the cutting edge.

When he saw a demonstration of Lex Machina, he knew instantly that this was a game changer and he had to bring Legal Analytics® into his practice. Mike said: “I realized that with Lex Machina, I can see it all happening in real time. I can follow the players on both sides. I can see what the big verdict winners are doing, what volume they have. I can get a sense for their marketing efforts based on the type and quality of filings.”

Before Legal Analytics

Just like other firms, Mike adhered to the oral tradition of information gathering. He met with fellow lawyers to learn about litigation facts and rumors. He would talk to different people in different areas about what was working, and who was doing what. All of it was largely anecdotal. Then he would compile all of his findings and build a conceptual model that guided his firm's decision making for a case. “But”, he said, “I really couldn't follow individual actors, I couldn't follow individual defendants, I couldn't follow individual defense counsel, and I couldn't follow individual judges.”

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Defendant Viability

Now, Mike uses Legal Analytics to gather data-driven facts for his decision making. Mike said: “I use Lex Machina religiously to verify or evaluate the viability of the defendant. Is it a purported bad actor or a legitimate company? Legal Analytics tells me if they are participating as a responsible party and how they respond to litigation. Lex Machina can tell me pretty quickly whether this is a defendant where everyone previously has failed to serve them effectively, or whether this is a defendant who willingly suffered a series of default judgments.”

Opposing Counsel

With Legal Analytics, Mike can find out details about the litigation behavior of the opposing firm. What are their trial strategies? Do they file a lot of motions to dismiss? What are they based on, and what are they driving towards? Was the complaint defective, or are they pushing a novel theory of law? Do you see motions for judgment on the pleadings, do you see motions to compel, or do you see a lack of action?

Mike said: “What sold me is the tactical value. Being able to look at the motions and the pleadings. Lex Machina helps me understand what the opposing counsel playbook looks like. The early stages of a case are often covered by junior associate counsel. Legal Analytics tells me what documents and templates are available in the firm, and what kind of guidance they're likely to be getting from their partner and from their client.”

Business Decisions

As head of his firm, Mike has to find the best, most efficient and effective application of his resources to help consumers now and in the future. To help them in the future he needs to be profitable. To him, Lex Machina is critical for business decision making and he is not just talking about the big blue arrows of “are we going to go into this area?”

For Mike it is critical to know which defendants he is going to target, which defendants he is going to avoid, and what legal theories he is going to employ. He says: “I need to understand a firm's past, current, and future reputation in the industry and how that connects to profitability.”

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Lex Machina has opened up this information, almost like a high school yearbook. It is allowing my firm to project what I am all about. People know what my MO is - how early I'm likely to settle, and where the mid range of most of my cases are. They can now say: This firm is not kidding, they're really going to do discovery and an MSJ, so it is going to cost that much, and this offer actually looks like a good deal.”

High-Intensity Litigation

Mike describes the way his firm operates as high intensity litigation. “For example, now, what I'm able to do is figure out what happens generally in the Central District of California with FCRA claims, I can quickly see the average time to resolution. I can sample some of those cases, see what their facts look like and pick some that were contested and went longer. I can pick those with motions, choose the outliers, and then find what the legal theories were in the outliers. And that can guide my intake process.

It has opened up a whole level of visibility into the legal process that simply wasn’t accessible before. I had the privilege of running a 100-person law firm about 10 years ago, and today my seven people are doing the work of about 27 or 30 in the old days.”

What’s Next

Mike wants to be able to incorporate more of the factual data of a lawsuit into the analytics. He says: “I'm interested in cases that require a lot of litigation, and then tend to end in either a plaintiff's victory or a negotiated settlement. We're seeing things today that seemed impossible, not long ago. But what if I could match up a FCRA case with others that pleaded an EB violation? How many of these cases pleaded 1681(c)(2), which I know is a marker for identity theft, because that's a tiny portion of the statute that tells the CRA they must suppress an identity theft within four business days? Then I would have even more granularity on what case types are going what distance.”