

## Data Duplication

### Anonymous Data Complicates Filtering

- With many survey respondents anticipated to be involved in the same matters or projects, it is possible that the same arbitration activity will be captured at least twice.
- Accurate survey results are contingent on the ability to identify matters that involve the same dispute between the same parties.

## Confidential Data

Some data does not raise any issues of duplication, but may be sensitive data that respondents would prefer to provide anonymously

- Survey respondents may want to keep expenses and charges information anonymous.
- Survey respondents may want to keep the volume and size of matters they are involved in anonymous.

## Maintaining Confidentiality – Double Blind

FTI Consulting will be conducting an analysis of the gathered data and providing results to the members of the WA Arbitration Initiative.

FTI Consulting proposes the following confidentiality arrangements:

1. The WA Arbitration Initiative is to provide all survey respondents with a list of Entity IDs (WAAI IDs), which survey respondents will use to identify themselves. The list will be prepared by the WA Arbitration Initiative and will not be distributed to or seen by FTI Consulting. (See Table 1)
2. Each respondent will receive the same survey link (i.e. survey responses will be anonymous). Only FTI Consulting will have direct access to survey results. FTI Consulting will perform the data analysis with reference to Entity IDs. (See Table 2)
3. FTI Consulting will assign random new entity IDs (FTI IDs) before providing survey data back to the WA Arbitration Initiative. The new IDs will not be distributed to or seen outside of FTI Consulting. (See Table 3)
4. No party will have access to a reconcilable set of survey data and Entity IDs.

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### About FTI Consulting

FTI Consulting is an independent global business advisory firm dedicated to helping organizations manage change, mitigate risk and resolve disputes: financial, legal, operational, political & regulatory, reputational and transactional. Individually, each practice is a leader in its specific field, staffed with experts recognized for the depth of their knowledge and a track record of making an impact. Clients benefit directly from our 30 years of extensive experience in the Asia Pacific region.

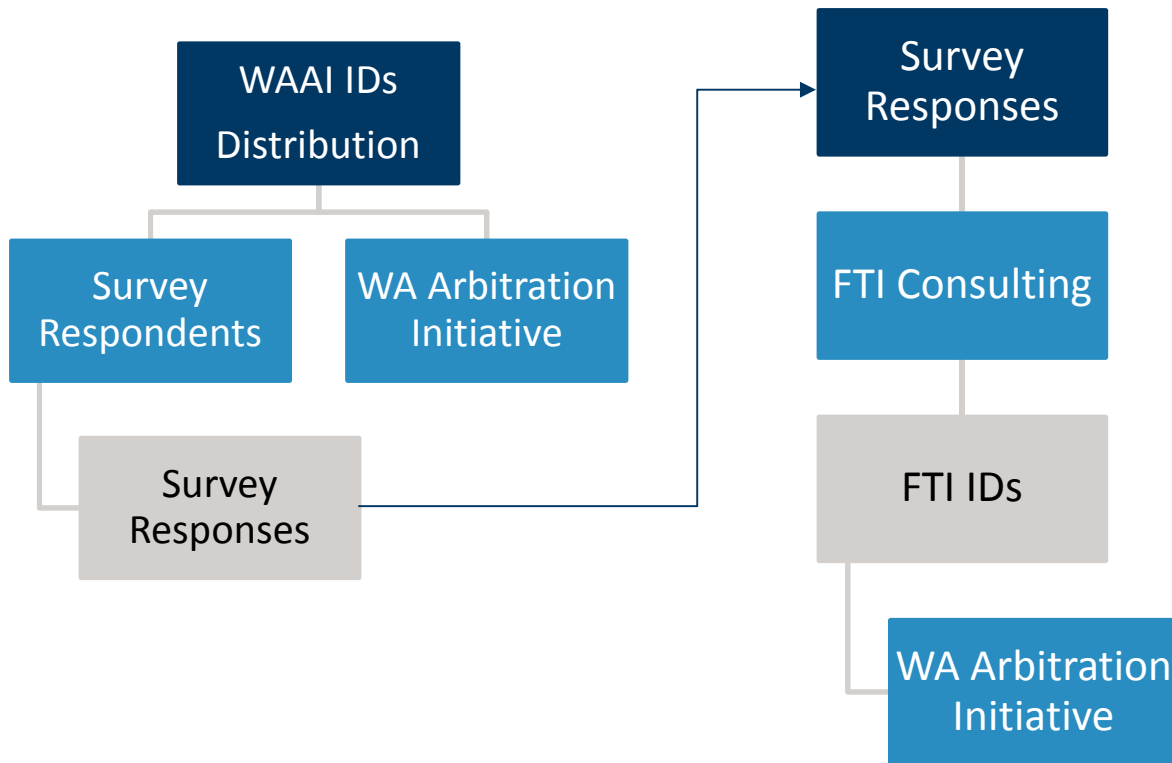


Table 1: Example Data – WA Arbitration Initiative Entity IDs received by Respondents

| Survey Respondent | Arbitration WA Entity ID |
|-------------------|--------------------------|
| Law Firm A        | 1                        |

Table 2: Example Data – Survey Responses seen by FTI Consulting

| Survey Question   | Law Firm A Response |
|---|---------------------|
| What is your entity ID?                                     | 1                   |
| What were your charges in connection with [an arbitration]? | <1,000,000          |

Table 3: Example Data – Data Provided by FTI Consulting to WA Arbitration Initiative

| Survey Question   | Law Firm A Response |
|---|---------------------|
| What is your entity ID?                                     | 72                  |
| What were your charges in connection with [an arbitration]? | <1,000,000          |