Narrative Investigation Plan

● **Introduction**

─ A synopsis of the complaint and a “story” of the case.

─ A brief overview of the planned investigation.

● **Legal theory or theories of potential harm**

─ What is the conduct being investigated and how might it violate the law?

─ What harms have consumers suffered (or likely will suffer) as a result of the conduct in question?

─ What are the legal elements of each theory?

● **Evidence (relevant facts)**

─ What are the facts learned to date?

* The information that supports each theory of potential harm
* The information that refutes each theory of potential harm

─ What are the unresolved questions critical to the investigation?

─ What types of information are needed to test theories of harm and resolve key questions?

─ What additional information is needed to satisfy the legal elements?

─ What are the best sources for the needed information?

─ What are the best methods for obtaining the needed information?

─ What are the evidentiary standards required by the decision maker?

● **Arguments and defenses**

─ What legal and economic arguments might the target(s) of the investigation raise?

─ What evidence might support/rebut those arguments?

● **Remedies**

**─** What remedies will address the harm?

─ What evidence is needed to determine the appropriate remedy?

● **Timing and investigative tasks**

─ Estimate the time and resources needed to complete the investigation

─ Identify specific tasks, assign responsibilities, and set internal deadlines

─ Plans for coordination with other jurisdictions, if relevant