Everything You Wanted to Know About eDiscovery But Were Afraid to Ask

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Agenda

• Introduction
• Data Basics
• Collection Options
• Data Handling
EDRM

Electronic Discovery Reference Model

Vocabulary

- De-Dup
- De-NIST
- Duplicate Spare
- EML
- Forensic Image
- Hash Value
- Inclusive Email
- Legal Hold
- Metadata
- MSG
- Near Duplicates
- PST
- SAAS
- UTC
Data Basics – Who?

- Custodians
  - Individuals
    - Current Employees
    - Former Employees
  - Database Administrators
  - Third Parties

Data Basics – What?

- Email
- MSOffice
- PDFs
- Videos
- Voicemail
- Structured Databases
- Paper
- Legacy Data
- Call Center Records
Data Basics – Where?

- PC/laptop Hard Drives
- Home Directories
- Network Shares
- Sharepoint
- Thumbdrives
- CDs/DVDs
- Phones
- Printers
- Social Media
- Cloud

Data Basics – How?

- Interviews/Surveys/Meetings
  - Information Services
    - Policies and Practices
    - Standard Set-up
    - Email
    - Auto Delete
    - Phones
    - Collection Capabilities
    - Structured Databases
    - Third Party Vendors
Data Basics – How?

- Interviews/Surveys/Meetings
  - Custodians
    - Typical Workflow
    - Organization
    - Storage
  - Third Parties
    - What is Stored
    - Export Capabilities

Collection – How?

- Determine the Scope of the Collection
  - Number of Custodians
  - Data Sources
  - Collect Everything
  - Collect Selected Data
    - Date Restriction
    - Search Terms
Collection – How?

• Internal Resources
  - IT
    • Active Email
    • Network Data
    • Local Hard Drives
    • Archives
  - Custodians
    • Self-collection
    • Vendor Assisted Remote Collection

Collection – How?

• External Resources
  - Forensic vendor
    • Works with IT
    • Remote Collection
    • Forensic Images
    • Testimony
    • Phones & Other Devices
  - Social Media
    • SAAS
    • Vendor
Data Handling – Track It

• Chain of Custody
  - Movement of data from one person/entity to another
• Custodian Tracker
  - Information about the data

Data Handling – Process It

• Decisions
  - De-NISTing
  - De-duping
  - Time Zone
  - Prioritization
• Deliverable
  - Format
Data Handling – Review It

• Reduce the data set
  - Date Restrict
  - Keyword Searching
  - Exclude Irrelevant Domains

• Email Threading
  - Inclusives

Data Handling – Review It

• Near Duplicates
  - Loose Documents

• Analytics
  - Clustering
  - Categorization/TAR
Data Handling – Review It

- Use appropriate software to review
- Organize the review
- Coding

Data Handling – Produce It

- Production Protocol
  - Meet and Confer
  - Best Practices
  - Order of Production
  - Delivery
  - Privilege Log
Resources

- Webinars
- Vendors
- Education
- Organizations
- Blogs/Websites
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Questions?