

eDiscovering the Cloud

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Welcome!

» Housekeeping

- Exits
- Cell Phones
- Slide Deck
- Questions
- Introduction

Agenda

- » Preservation and Collections
- » Conventional vs Cloud Sources
- » Conventional vs Cloud Methods
- » Data Use Challenges
- » Preparation Strategies

Before we get started.....

» What do these activities have in common?

- Information Security
- Data Privacy
- Digital Forensics
- eDiscovery
- Regulatory Compliance
- Audit

Before we get started.....

- » They require the same information about data!
 - Who, What, Where, When, Why, How?
 - Life cycle
 - Storage and protection
 - Access and ownership
 - Regulatory footprint
 - Organizational value
 - Policy

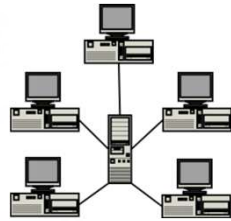
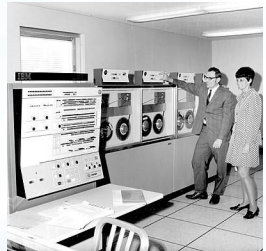
Discovery and Preservation Obligations

- » Audits
- » Litigation (real or anticipated)
- » Regulatory review
- » Internal investigations
- » Due diligence

Common Issues

- » Metadata
- » Forensic preservation
- » Data privacy & security
- » Volume
- » Remediation
- » Defensibility

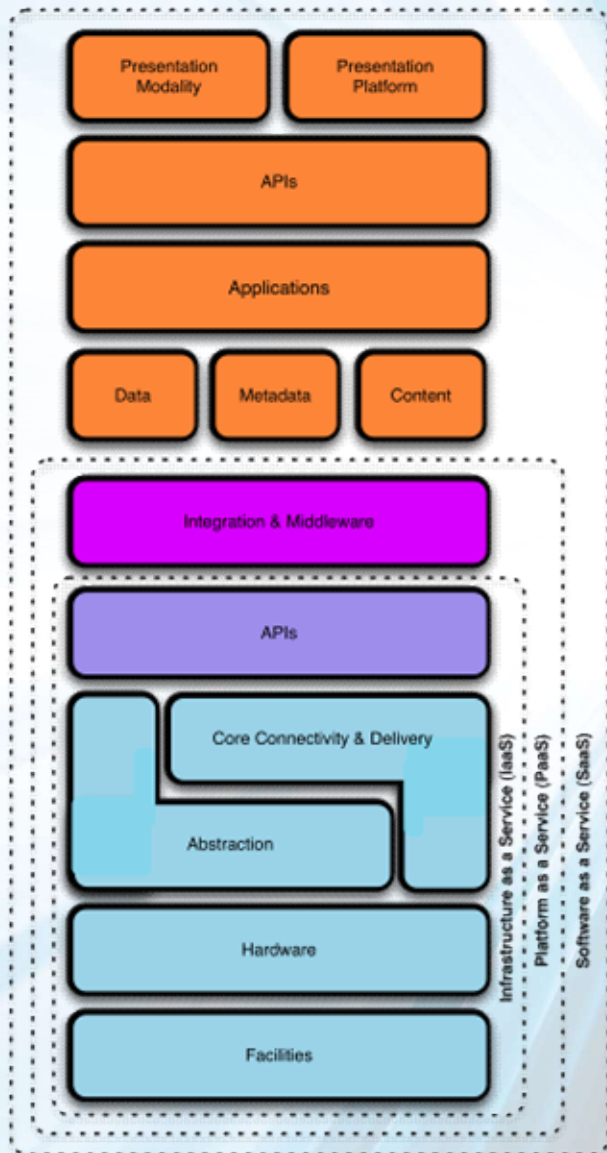
Evolution to the Cloud



Computer Evolution Over Time



Cloud Is.....



- » Pooled Resources
- » On-demand Self Serve
- » Highly Elastic
- » Metered Usage
- » Broadband
- » Multi-Tenancy

Typical Conventional Preservation

- » 20 custodians
- » 2 US locations
- » Laptops or desktops
- » Mailbox exports (Exchange console)
- » File server user folders and group shares
- » Data tapes & external hard drives



Typical Cloud-Era Preservation

- » 20 custodians
- » 4 global locations + 2 residences
- » Laptops & cell phones
- » Social media sites & chat service
- » Office 365 email exports
- » SharePoint site
- » Multiple cloud sources (Salesforce, Zenefits, etc.)
- » Multiple shadow IT sources



New Challenges



- » Source proliferation
- » Deperimeterization
- » Geographical ambiguity
- » Data volumes and duplication
- » Abstraction & virtualization
- » Service commoditization

Data Presentation Issues

- » Native formats
- » Enriched content
- » Metadata
- » Lack of context
- » No standards
- » Poor tool support



True or False?

Your organization knows and documents exactly where all your official and unofficial data resources are located.

Maybe, but unlikely.

Shadow IT



» Response to:

- Inconvenience
- Lack of training/familiarity
- Missing functionality

» Perfect for cloud services

» Outside of policy and protections

» May not waive obligations

Strategies

- » Information governance program
 - Data mapping
 - Data lifecycle
 - Forensic audits
- » Data centric policy and procedures
- » Consideration in the procurement cycle
 - SLA should include ediscovery/IR/investigations/etc
- » Understand regulatory footprint

Final Deep Thoughts.....

- » Who is your collection/ediscovery vendor?
- » Who is your General Counsel?
- » Is DIY your strategy or your default?
- » Could you find ALL your data tomorrow?
- » And could you produce it in a week?

Questions?

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