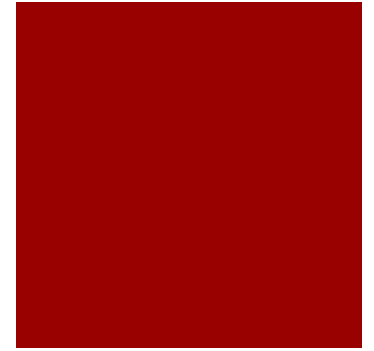


# Discovery of Challenging Sources: SharePoint, Unstructured Data, the Cloud and Beyond

Panelist:  
Larry Braggi  
Leigh Isaacs  
Karin Roberts

Moderator:  
Mary Pat Poteet



- Security issues of the Cloud: What to avoid and how to batten down the hatches. (Leigh)
- SharePoint: How do you actually extract data from SharePoint? Frustrations and solutions. (Larry/Leigh)
- Social Networking: Do's, don'ts and major gotchas! (Karin/Leigh)
- Unstructured Data: Challenges and recommendations. (Karin/Leigh/Larry)

# Cloud Computing: Battening down the hatches!

- Types of Clouds
- Associated Risks
  - Ownership
  - Control
  - Costs
  - Destruction of Data
  - Jurisdictional issues
- Mitigating Risk
  - Carefully Select Vendor
  - Review Service Agreement
  - Execute Coordinated Ediscovery Plan
  - Contemplate Exit Strategy

# SharePoint

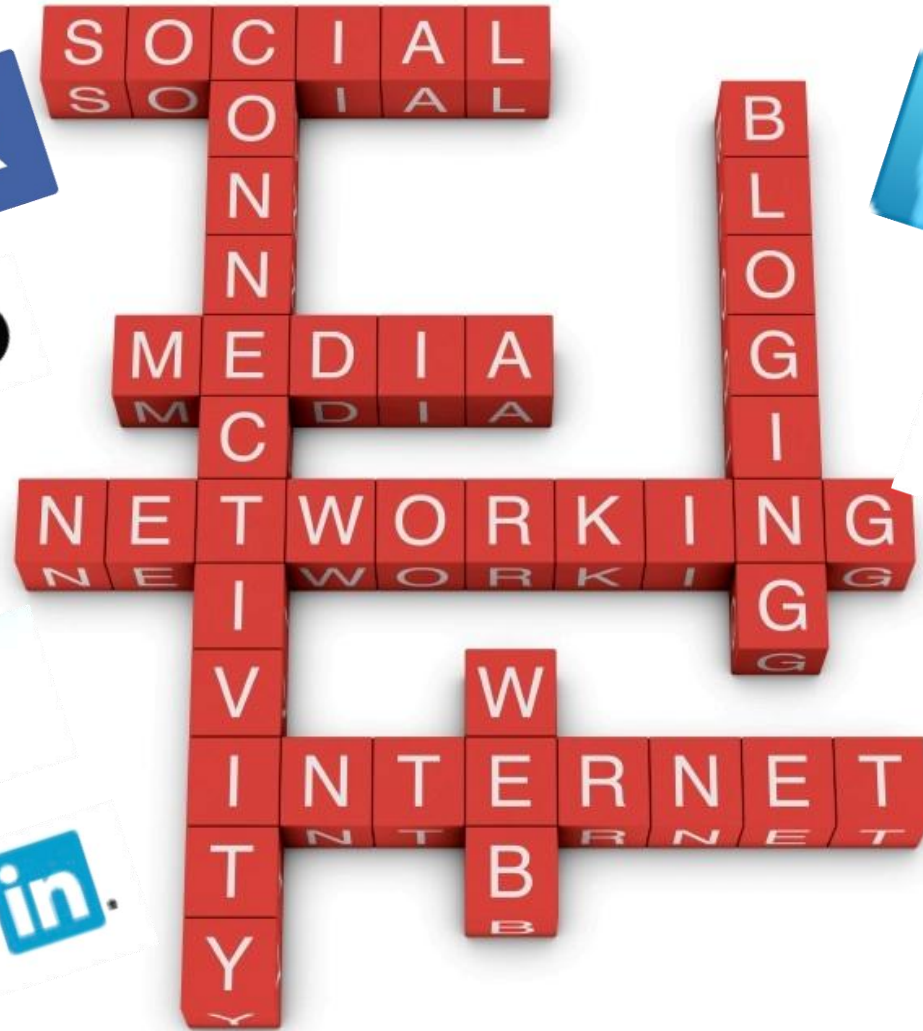
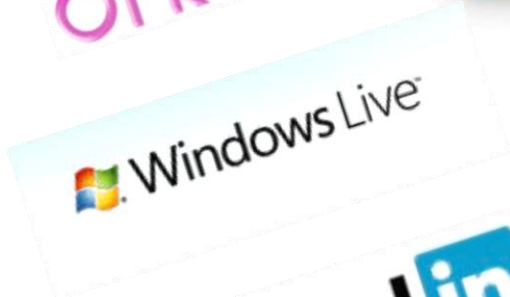
## Challenges

- Increased Usage
- Dynamic Environment
- Lack of Content Knowledge
- Indexing
- Identification of Docs
- Preservation
- New Metadata

## Recommendations

- Get to know your system
- Generate “System Map”
- Identification Procedure
- Export Procedure
- Processing & Review

# Social Networking Sites

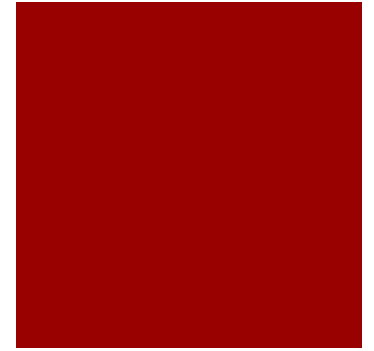


# Who Uses Social Networking?

<b>NAME</b>	<b>DESCRIPTION/FOCUS</b>	<b>REGISTERED USERS</b>
Facebook	General	500,000,000
Qzone	General (China)	200,000,000
Habbo	General for teens	162,000,000
My Space	General	130,000,000
Windows Live Spaces	Blogging	120,000,000
Bebo	General	117,000,000
Orkut	General (India & Brazil)	100,000,000
Twitter	Micro-blogging	75,000,000
LinkedIn	Business and professional networking	70,000,000
Classmates.com	School, college, work and the military	50,000,000

Source: Wikipedia ([http://en.wikipedia.org/wiki/List\\_of\\_social\\_networking\\_websites](http://en.wikipedia.org/wiki/List_of_social_networking_websites))

# Who Uses Social Networking?



- Individuals – share interests, ideas, activities, events within personal network
- Businesses – build brand image, recruiting, competitive intelligence
- Governments – sharing information, facilitate involvement/discussions
- Elected Officials, Politicians, Scientists/Researchers, Activists, Educators

# CASE IN POINT

by Tom Fishburne

The image is a hand-drawn sketch of a Facebook news feed. At the top left, the word "facebook" is written in a bold, lowercase font. To its right is a search bar with the word "Search" and a magnifying glass icon. Further right are the navigation links "Home", "Profile", and "Account" with a dropdown arrow. On the left side, there is a profile card for "Defendant" with a small profile picture and the text "Edit My Profile". Below this are navigation icons for "News Feed", "Messages", "Events", "Friends", and "Photos". The main content area shows a post from "Defendant" with a profile picture and the text: "Defendant can't believe I'm getting away with murder! I'm guilty as sin, but the plaintiff is too much of a bonehead to prove it. Ha ha ha!". Below the post are interaction options: "5 hours ago", "Comment", "Like", and a notification "Plaintiff's Counsel likes this". Below that is a post from "Plaintiff's Counsel" with a profile picture and the text: "Plaintiff's Counsel I love Facebook! Thanks for making my case!". Below this post are "4 hours ago" and "Like". The next post is from "Judge" with a profile picture and the text: "Judge Defendant found guilty on all counts". Below this post are "3 hours ago", "Like", and a notification "Defendant doesn't like this".

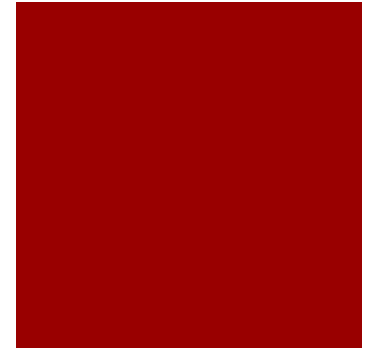


# Social Networking eDiscovery Challenge



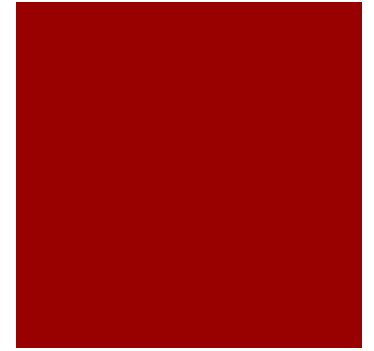
- Instantaneous publication
- Highly dynamic, interactive
- User controlled content
- Governed by Stored Communications Act, 18 U.S.C. Sec 2701, authorizing disclosures:
  - Criminal subpoena
  - No exception for civil subpoena, only basic subscriber info
  - Consent of party or subscriber

# Collecting Social Networking Content



- Front End – screen print or record (PDF, SnagIt, Camtasia)
  - Who will authenticate?
  - Capture HTML as well (web browser View, Source)
- Middle Ground – via email as updates are sent or received
- Back End – with lawful consent records turned over to account holder or his attorney only
- Varying formats with new metadata

# Social Networking Corporate Strategies



- Risk assessment
  - See Applied Discovery's SM-ART service
- Records Management Policy
  - See WorkLight's management and security solutions
  - See Sonian's archiving service offering
- Employee usage policy and training
- Social Media Response Plan and Team

# Unstructured Data



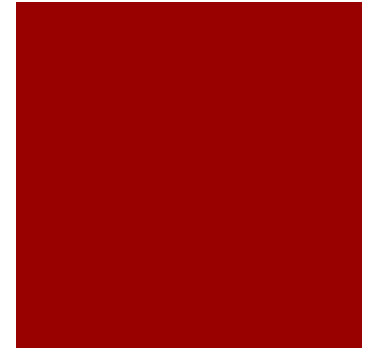
- Instant Messages (IM, SMS)
- Blogs
- Audio, video, or graphic files

# Unstructured Data eDiscovery Challenge



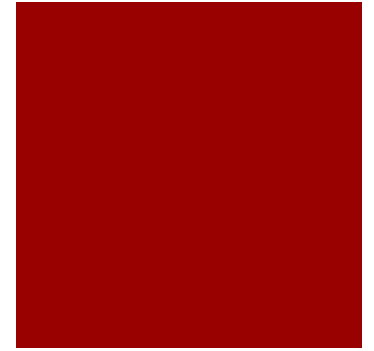
- Service providers governed by Stored Communications Act, 18 U.S.C. Sec 2701
- Transitory nature of instant messaging
- Integrated applications co-mingle multiple data types
- Identification of potentially relevant and responsive data due to noisy text (spontaneous communication, abbreviations, aliases)
- Form of production

# Collecting Unstructured Data



- Where does the data reside? - corporate server, service provider, handheld device
- Commercial solutions for analyzing and understanding the content (content analytics, concept mapping, relationships, sentiment, pattern visualization)
- Expert's Value: translating the needs of counsel through the analysis of often unconnected data into summary and reports

# Unstructured Data Strategies



- Records Management Policy
  - See WorkLight's management and security solutions
  - See Sonian's archiving service offering
- Employee usage policy and training