

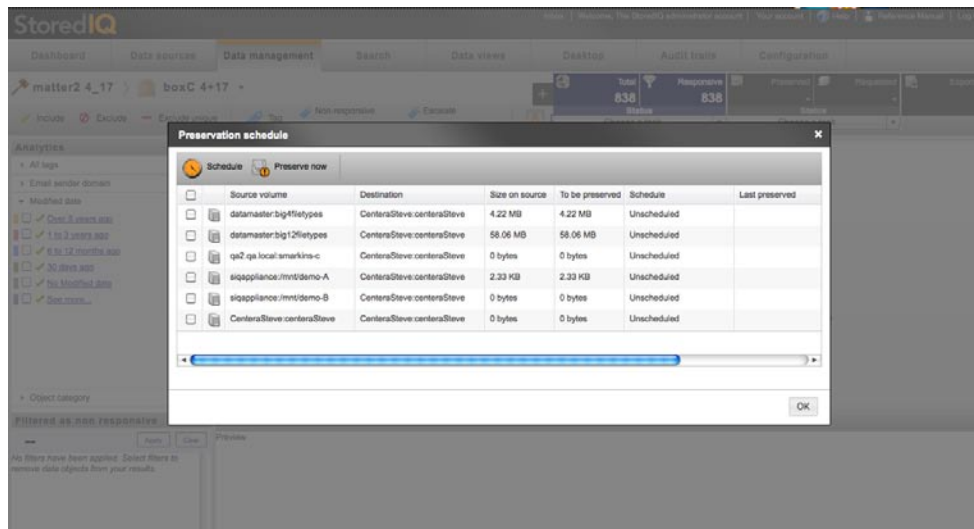
## StoredIQ Intelligent Legal Hold Technical Brief

### Introduction

The duty to preserve electronically stored evidence arises when a party acquires notice or should know that the data are relevant to an existing litigation or investigation, or to reasonably anticipated future litigation or investigation<sup>1</sup>. Historically, performing this “litigation hold” on potentially matter-relevant data has been a complex process, and heavily relied upon custodian self-preservation. StoredIQ offers a reliable, repeatable, auditable solution to place and enforce legal holds with a simple eDiscovery-based workflow. The StoredIQ Intelligent Information Management (IIM) Platform can perform litigation holds against live, unstructured data, and integrates with all market-leading immutable storage platforms for retention.

### Technical Highlights

Using StoredIQ’s eDiscovery workflow and unique [Analyze Anywhere™ technology](#), a user can quickly perform analysis on live data sources prior to preservation, then select a subset to collect for legal hold. With a few simple clicks, data is copied from the data source to a secure repository. To ensure that the copy is forensically sound, a hash is performed on the source file and is compared to a hash of the copy on the repository. In addition, the entire set of metadata associated with the file is preserved, including the full file path of the original object. This original location data is invaluable since source location provides significant insight for the legal analyst or counsel during downstream formal review, enabling a faster, qualitatively enriched review process.



One of the most unique and important features of StoredIQ Intelligent Legal Hold is ‘single-instance’ preservation. Often, the same files are relevant for multiple cases, and in these cases, StoredIQ will copy and place on legal hold a single instance of that file on the repository. If that file is required for multiple matters, each

matter will utilize that single copy, saving storage space, and as importantly, the time and bandwidth required

<sup>1</sup> *Fujitsu Ltd. v. Federal Express Corp.*, 247 F.3d 423, 436 (2d Cir. 2001). See also *Convolve, Inc. v. Compaq Computer Corp.*, 223 F.R.D. 162, 175 (S.D.N.Y. 2004) (“The obligation to preserve evidence arises when the party has notice that the evidence is relevant to the litigation or when a party should have known that the evidence may be relevant to future litigation.”)

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to access the data. And, since StoredIQ can perform incremental collections, only files that have been modified since they were last collected will be recollected for preservation, further reducing the time for collection. When all matters are concluded and the obligation for legal hold is removed, the file will then be available for disposition from the repository.

However, since StoredIQ Intelligent Legal Hold is synchronized across all applications, including Records Management, Compliance, and Information Governance, a file that is no longer relevant for a legal matter, may still in fact be obligated to legal hold for other use cases, and will therefore continue to be held.



Of course, the entire legal hold process is documented with comprehensive audit trails, preserving the authenticity and chain of custody.

## Hold-in-Place Preservation

StoredIQ also supports the ability to hold data 'in-place' by changing the permissions on the data to prevent the custodian from opening or editing the contents, though this is not a recommended solution for legal hold for two primary reasons. First, this approach greatly affects worker productivity, as they are locked out of their data and are potentially unable to conduct their normal course of business and job functions. Second, in the most malicious of examples, a worker could physically destroy their workstation (and, therefore, the local copy of potentially matter-relevant data). The preferred method of copying data to a preservation platform addresses both of these issues. However, there are specific instances where legal hold-in-place is appropriate. For example, with Microsoft Exchange 2010 and Microsoft SharePoint 2010, a hold-in-place feature is supported intelligently, in which users are not locked out of their data that is on hold, but a secure copy is made on the system instead. Consequently, StoredIQ supports this intrinsic legal hold in-place capability on these types of advanced data sources.

## Conclusion

StoredIQ Intelligent Legal Hold provides a simplified yet robust solution for implementing legal holds on all unstructured, potentially matter-relevant data. By retaining and providing more metadata context than any other solution, leveraging single instance legal holds across applications, and integrating with more data sources, StoredIQ provides an unmatched legal hold facility with the Intelligent Information Management Platform.