

# Information Management: Email Archive Management

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Litigation Support  
TODAY™

# Email Archiving

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- What is email archiving and why do it?
- Changes in FRCP
- Compliance requirements
- Risk management
- Escalating costs of e-discovery



# Connor v. Sun Trust Bank

- Family and Medical Leave Act claim

Key email: “[A]ll of my team has received the information about my decision to eliminate the [plaintiff’s] . . . manager position.”

30-day auto-delete policy deletes email

Opposing counsel’s preservation warning letter

Internal litigation hold notice

2/12

2/21 2/22

3/12



# Internal v. Hosted Solutions

- Internal: software/hardware installed locally; dedicated on-site servers (e.g., KVS, Zantaz, Legatto, Mimosa, Barracuda, C2C, GFI)
- Hosted: integration, management and archiving performed off-site (e.g., MessageOne/Dell, Postini/Google, Microsoft)



# Advantages of Archiving

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- Implementation of litigation holds
- Improve corporate knowledge management
- Compliance with regulatory requirements
- Reduce costs of storage



# Litigation readiness planning

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- Why backups aren't enough
- Who should be involved
- Define the need
- Find the tools that fit the need
- Refine and document the process
- Implement
- Train
- Audit, adjust, re-audit



# E-Mail Technologies

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- Messaging Applications
- Archiving Solutions
- Management Solutions
- Compliance Solutions
- Discovery Solutions
- Security Solutions



# Messaging Applications

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- Traditional Server-based email
- Web-based email
- Instant Messaging
- Mobile Devices
- VOIP – Integration with Mail System



# Archiving Solutions

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- Unstructured, Unmanaged (PST, NSF)
- Server E Mail Managed Archive
- Record messages vs. Transient Messages
- Copy vs. Move
- Search & Filter
- Output capabilities



# Discovery Needs

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- Litigation hold
  - Notice
  - Retention
- Search
- Deduplication
- Content vs. Metadata preservation
- Output formats



# Discovery Solutions

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- Search
  - Keyword
  - Concept
  - Clustering
- Analytics
- Chain-of-custody /Audit Trail
- Output defensibility



# Q&A & Concluding Remarks

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