



# DISCOVERING eDISCOVERY



# Purpose

This paper is the first in a series that are designed to educate organisations and increase awareness in the area of eDiscovery technology.

---

## What is eDiscovery?

---

Electronic discovery (eDiscovery) is any process in which electronic data is identified, located, secured, and searched with the purpose of using it as evidence in a civil or criminal legal case.

Gartner's definition is; "eDiscovery is the identification, preservation, collection, preparation, review and production of electronically stored information associated with legal and government proceedings."

eDiscovery is a critical challenge for all organisations, and one that can only be successfully addressed through a combination of people, processes, and technology. We are in a big data world and the requirement for eDiscovery is not going to go away.

eDiscovery has emerged as a defining legal, business, and technological challenge for organisations today. It is a challenge that requires organisations to fundamentally review the way that they use and manage their digital information. eDiscovery is a problem that can only be solved by applying well-designed technology within the context of a strong information management program and eDiscovery strategy.

There are clear guidelines in place for eDiscovery and there are currently two key providers of those guidelines, they are:

The Sedona Conference®

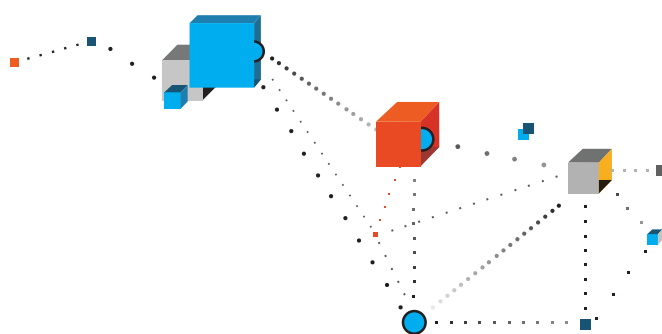
The Sedona Conference®, founded in 1997, is a non-profit research institute with members focusing on tipping point issues in the areas of antitrust law, complex litigation, and

intellectual property rights. One of the Sedona work groups (Working Group 6) focuses on International Electronic Information Management, Discovery and Disclosure.

The developed 'principles' include recommendations about how to deal with electronic information and eDiscovery and are leading in most American courts.

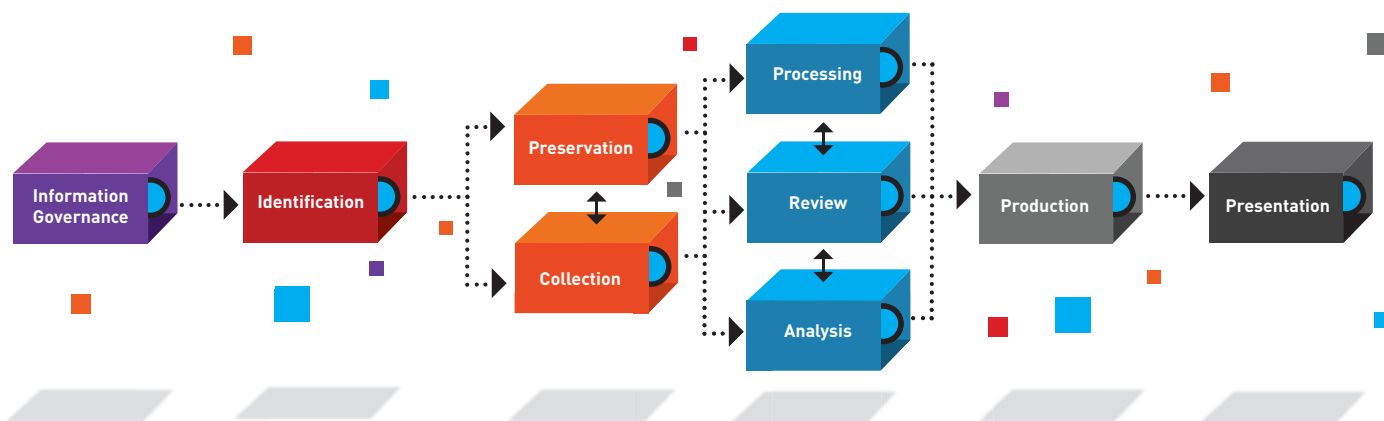
The Electronic Discovery Reference Model (EDRM)

The EDRM is a joint initiative of eDiscovery experts, lawyers, suppliers and end users. The model describes the various stages of the eDiscovery process and has set the standard for eDiscovery since the creation in 2005.



**“We are in a big data world and the requirement for eDiscovery is not going to go away.”**

## Electronic Discovery Reference Model



### There are nine elements to the EDRM:

#### 1 Information Management

Ensuring your Electronic world is governed adequately through capturing, classifying, retaining, and disposing of information according to a documented plan.

#### 2 Identification

The locating of potential sources of Electronically Stored Information (ESI).

#### 3 Preservation

The process of ensuring the ESI is protected against inappropriate alteration or destruction.

#### 4 Collection

The gathering of ESI for further use in eDiscovery process.

#### 5 Processing

The process of reducing the volume of ESI and converting it, if necessary, to forms more suitable for review and analysis.

#### 6 Review

Evaluating the ESI for relevance and privilege.

#### 7 Analysis

Evaluating the ESI for content and context, including key patterns, topics, people and discussion.

#### 8 Production

Delivering the ESI to others in appropriate format and using appropriate and agreed delivery mechanisms.

#### 9 Presentation

Displaying the ESI before audiences, especially in native and near-native forms, to elicit further information, validate existing facts or positions, or persuade an audience.

## We are in a Big Data world

With the volume and complexity of data increasing year on year the IDC Digital Universe Study of 2011 estimated that during 2011 the amount of information or data created or replicated would exceed 1.8 zettabytes, which is equivalent 1.8 trillion gigabytes.

Data or ESI will be stored across many sources, for example:

- Email systems
- Social media data stores in the cloud or stored locally
- Collaboration technology such as Microsoft SharePoint
- Real-time communication technology such as Microsoft Lync
- Business applications
- Repositories of structured and unstructured data
- Corporate and employee-owned smartphones
- Tablet computers
- Corporate intranets and blogs
- Desktop computers
- Laptop computers
- File servers
- USB storage devices
- Back-up Devices
- Employees' home computers

The majority of eDiscovery requirements will also cover hard copy files, which are sometimes held off-site with a third party.

### Size Matters

#### Storage Estimates

- CD = 650 MB = 50,000 pages.
- DVD = 4.7 GB = 350,000 pages.
- DLT Tape = 40/80 GB = 3 to 6 Million pages.
- Super DLT Tape = 60/120 GB = 4 to 9 Million pages.

#### Page Estimates

- 1 MB is about 75 pages;
- 1 GB is about 75,000 pages (pick-up truck full of documents).
- Average pages per email: 1.5 (100,099 pages per GB).
- Average pages per word document: 8 (64,782 pages per GB).
- Average pages per spreadsheet: 50 (165,791 pages per GB).
- Average pages per power point: 14 (17,552 pages per GB).

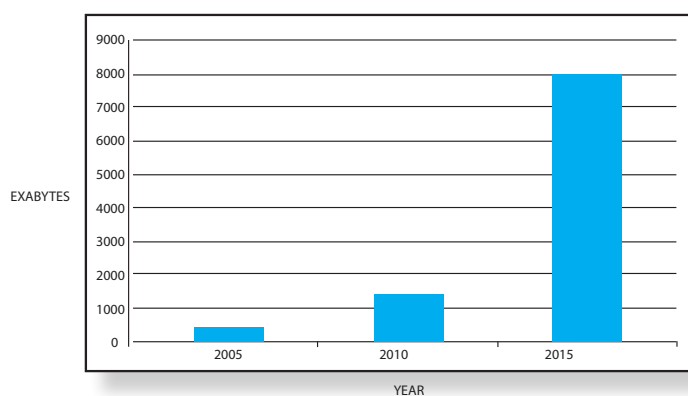
#### For the average .PST or .NSF Email File

- 100 MB .PST file is 900 emails and 300 attachments.
- 400 MB .PST file is 3,500 emails and 1,200 attachments.
- 600 MB .PST file is 5,500 emails and 1,600 attachments.
- A 1.00 GB .NSF file is 9,000 emails and 3,000 attachments.
- A 1.5 GB .NSF file is 13,500 emails and 4,500 attachments.

#### Bits and Bytes Sizes

- 8 bits are equal to 1 byte (one or two words),
- 1,024 bytes are equal to 1 kilobyte (KB).
- 1,024 kilobytes (KB) are equal to 1 megabyte (MB or Meg).
- 1,024 megabytes are equal to 1 gigabyte (GB or Gig) (truck full of paper).
- 1,024 gigabytes are equal to 1 terabyte (TB) (50,000 trees of paper).
- 1,024 terabytes are equal to 1 petabyte (PB) (250 Billion Pgs. of Text).
- 1,024 petabytes are equal to 1 exabytes (EB) (1 000 000 000 000 000 000 bytes).

The above figures are simply a guide to assist you with context around the amount of data being created and replicated in the world today. There will be many variables that will impact all of the numbers above, such as image and video files.



Graphic of A Decade of Digital Growth – Storage in Exabytes (source: IDC digital universe study)

---

## eDiscovery is not going away

---

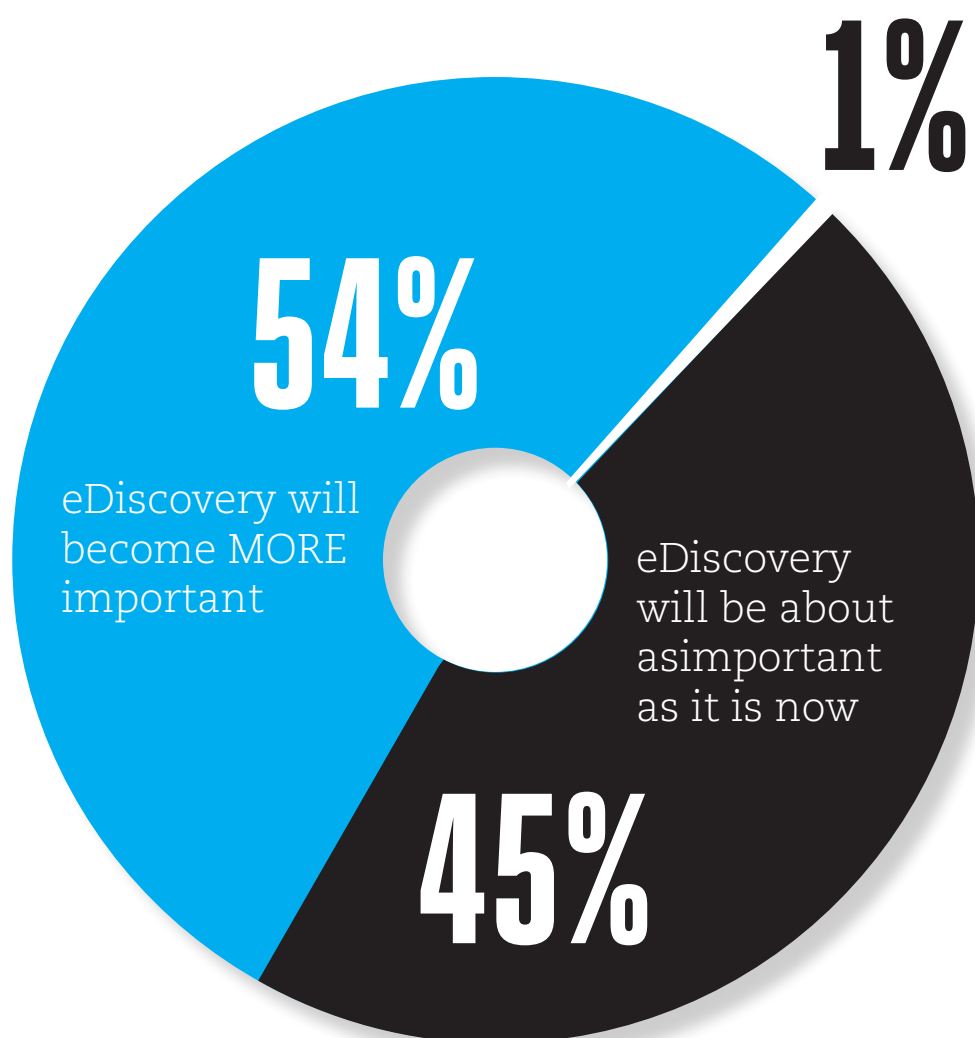
eDiscovery has become much more important over the past 10-15 years as the proportion of electronic content in most organisations has increased and also become more difficult to manage. A recent study carried out by Osterman Research indicates that businesses and other organisations believe that eDiscovery will remain just as important over the next 12 months as it is today, or it will become more important.

---

### Anticipated Importance of eDiscovery During the Next 12 Months

---

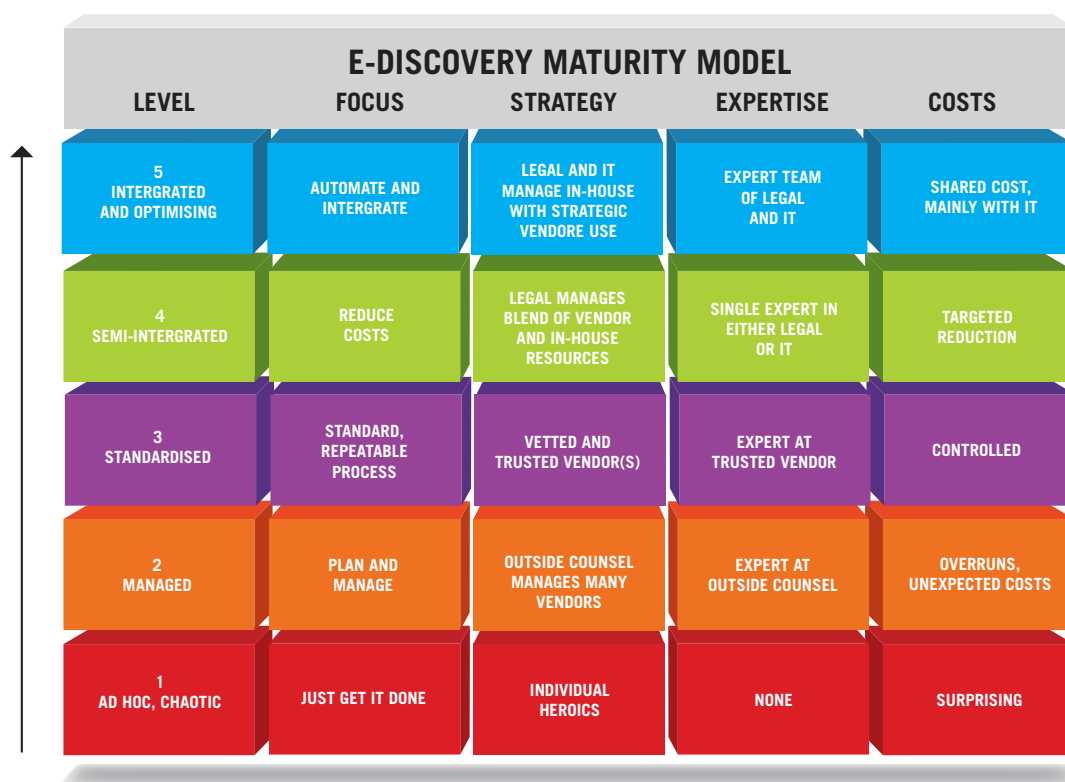
eDiscovery will  
be LESS important



#### Graph Source

("Key Issues in eDiscovery", An Osterman Research White Paper, Published September 2012)

## eDiscovery in the Channel Islands



It is fair to say that the eDiscovery landscape within the Channel Islands is not as mature as it could be. An interesting survey might be to understand organisations views on where Guernsey, Jersey and indeed individual organisations are in the eDiscovery Maturity model released by edrm.net:

The CBO Projects view of eDiscovery in the Channel Islands is split into the following areas:

### Reactive eDiscovery Requirements

We believe that this is currently the most active area within the Channel Islands. Reacting to a requirement in front of organisations is currently driving eDiscovery strategies within the Channel Islands. Whether you class this as Ad Hoc or Just Get It Done within the maturity model above is an interesting discussion point.

### Proactive Integration of eDiscovery Technology into Organisations, including Law Firms

In our view this is a very exciting area and one that is also a fantastic opportunity for organisations,

including Law Firms, within the Channel Islands. For Law Firms the attraction is for the technology to become part of their service offering, alongside this the eDiscovery technology will also enable Law Firms to improve their services to clients. For other organisations adopting this strategy will certainly assist the management of risk and also compliance challenges.

### Proactive Information Governance approach to Data Management

Information Governance within with the Channel Islands is another area that is not as mature or optimised as it could be. Organisations that implement a structured approach to governing their data and information will be better prepared if they ever have to present that data or information to a third party or indeed carry out initial searches and analytics on the content themselves.


CBO Projects can assist you at any stage of the eDiscovery process and ensure governance is aligned to the Electronic Discovery Reference Model.

Maturity model diagram  
(source: edrm.net)



Whether you are considering implementation of an eDiscovery solution for future use, or are in a reactive situation where information needs to be identified, gathered, extracted and processed, CBO Projects have the experience and expertise to manage the end-to-end process of the implementation of eDiscovery technology.

CBO Projects also specialise in implementing Information Governance strategies, whether you have an existing strategy that requires review or re-alignment or you are starting with a blank sheet of paper, we are well positioned to work with you for successful delivery.



- Philip Smith, who has led a number of technology based programmes for large organisations, which delivered significant operational improvements and service delivery innovation.

 Philip Smith  
 Philip.Smith@cboprojects.com  
07781 128208

- Alastair Bisson, who has led channel shift programmes in the private and public sector, including for FTSE100 companies.

 Alastair Bisson  
 Alastair.Bisson@cboprojects.com  
07781 138400

- Ed Gowan, who has extensive experience of implementing channel shift in UK local government organisations, including for particularly complex services, such as adult social care.

 Ed Gowan  
 Ed.Gowan@cboprojects.com  
07781 161590

**cbo**  
Projects  
[cboprojects.com](http://cboprojects.com)