



**EXPERT DATA
FORENSICS**
INVESTIGATORS OF DIGITAL EVIDENCE

AUGUST 2020 BULLETIN

From Data Collection to Testimony



Zubulake v. UBS Warburg, 217 F.R.D. 309 (S.D.N.Y. 2003) changed the face of e-discovery in 2001. 19 years later, the e-discovery industry has exploded and is worth an estimated \$10 billion annually. Many words come to an attorney's mind when hearing "e-discovery" and "electronically stored information" or "ESI." The ones we can repeat are:

Expensive. Painful. Time-Consuming. Soul-sucking. Malpractice risk.

They're not wrong.



As you know, in the 2019 case *GN Netcom, Inc. v. Plantronics, Inc.*, No. 12-1318-LPS, 2016 WL 3792833, a company had internal ESI preservation systems *and* legal hold reminders from counsel to preserve ESI. A company employee ignored the internal compliance systems and deleted a large amount of emails that were evidence. Severe sanctions were rewarded, and the court determined the company, even with internal legal procedures, failed to take reasonable steps to preserve ESI. The message from *GN Netcom, Inc.* is clear: **third party ESI management is a best practice.**



We have kept up to date on the current law and we listened to our clients. We have partnered with a well-known forensic software firm to solve your ESI and e-discovery needs. We know that e-discovery is a necessary part of a successful litigation and transactional practice in 2020. We believe it doesn't have to be a necessary evil.



EXPERT DATA FORENSICS has the ability to handle your e-discovery needs from collection to testimony so you can focus on what matters- your legal practice.

The Benefits of EXPERT DATA FORENSICS's ESI Management Services



Third party ESI management is important for several reasons. First, preservation of ESI in a third-party vendor reduces the risk of data loss, internal data tampering, and data corruption. Secondly, third party ESI management preserves attorney objectivity and reduces malpractice risk. Additionally, third party ESI management simplifies and streamlines firm technology costs, security costs, and internal infrastructure needs.

What We Do?

Our sole objective is to give our clients a one-stop third party solution for managing ESI: **We handle your ESI needs from data collection to testimony, one vendor at one affordable rate.**

Here is what we do at **EXPERT DATA FORENSICS**:

- We **collect and preserve** all of your electronically stored information (“ESI”).
- We meet **legal chain of custody** requirements.
- We **testify** in court regarding our chain of custody practices. **We have successfully testified in court many times.**
- We **index and process** your data in-house. It is **ready** for document review.
- We **filter and reduce** the size of the ESI to save you and your clients money.
- We **provide** a document review platform (eDiscovery).
- We **produce** files that are compatible with **many other document review programs** including Relativity (DAT/OPT/LFP) and Summation (Dii), Opticon, Ringtail)
- We even **process cell phone data into eDiscovery**- most e-discovery providers do not have the ability to do this.

Here is what we do NOT do:

- We do not **charge for ingestion fees**. An ingestion fee is an upfront flat fee many of our competitors charge to upload data onto their platforms. Most companies charge a fee of \$15 to \$65 per gigabyte to process data.
- We **do not upload the largest files possible**. We actively reduce the size of the ESI *before* uploading it to our platform, saving costs.
- There are **no hidden fees and no need to hire another vendor**.

We are proud of our new all-in-house solution and look forward to serving your ESI needs from collection to testimony.

If you have any questions, please contact: Eliya Azoulay-Mare Director of Operations or, Leon Mare – Digital Forensic Investigator. Tel: 702-435-8885