



IBM ECM UK UserGroup 2008  
**Connecting the  
ECM Community**

**IBM eDiscovery**

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# Disclaimer

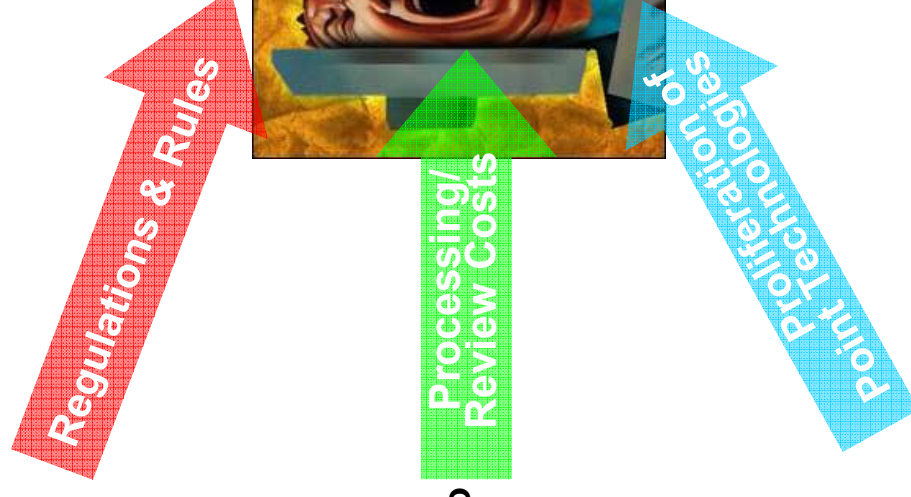
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## Growing pressure for effective eDiscovery solutions

- **New regulations and rules worldwide are creating new challenges relative to production of Electronically Stored Information (ESI)**
  - US Federal Rules of Civil Procedure are a key driver for any business subject to US federal jurisdiction
- **E-discovery costs faced by enterprises are skyrocketing**
  - In large scale litigation, a single case can cost **\$1.5M or more** just for collection, processing, and review of relevant documents, emails, files
  - Bulk of cost expended with outside firms for processing, review, and production of electronic evidence
- **Information Management technology provides capabilities to help you address these challenges**
  - Help users to proactively prepare for eDiscovery challenges, bringing electronic information under control
  - Helping save cost and reduce risk by enabling a more agile eDiscovery response
  - Making eDiscovery a more manageable, repeatable business process



## Motivation: *Most Litigious Business Environment Ever*

- Any company of any size anywhere in the world is probably engaged in some form of litigation right now <sup>1</sup>
- Legal problem is immense and is growing larger each day <sup>2</sup>
  - Average # of lawsuits: 556
  - Average # of new disputes / year: 50
  - Average annual legal spending: \$34.2 million
  - The average cost of defending a lawsuit exceeds **\$1.5 million per case**
- **Federal Rules of Civil Procedure (FRCP) Dec 2006 amendments raised the pressure impacting international businesses**





## E-Mail is the biggest challenge and Risk

### E-Mail is Your Biggest Risk — Fix It

- Companies say that 20% of outbound e-mail poses a legal, regulatory or financial risk.
- One-third of large enterprises had e-mail subpoenaed in the last 12 months.
- 50% are concerned about personal e-mail as a conduit for confidential information.
- More than one-quarter have terminated an employee for violating e-mail policies in the past 12 months.
- One third have investigated a suspected e-mail leak of confidential or proprietary information.
- More than half say it is important to reduce e-mail legal and financial risks.
- Revise your e-mail retention policies.
- *"Consistent policy, consistently applied."*
- Investigate software solutions for e-mail archiving.
- *12 to 18 months for non-differentiated users.*
- *(Longer) role-based archiving for special candidates.*
- Depending on your vertical, you may want to consider one or more of the following:
  - *Policy management software*
  - *Content monitoring and filtering*
  - *E-discovery software for e-mail*

**Bottom line: E-mail is your biggest risk and should be your first priority for policy and technology control.** **Gartner.**

Source: Procept July 2007 Survey of 308 U.S. companies

# Announcing - IBM eDiscovery

## Powered by new IBM eDiscovery Manager V2.1

### Proactive ESI Management

- Captured, processed, classified, organized as created
- Preserved based on information value with zero-click enforced retention policies
- Secured in a high scale enterprise level content management platform
- Made dynamically accessible

### Agility in Responding to Litigation

- High volume search, cull, hold, export processes with ease of scale, low end to high end
- Information insight on demand
- Embedded access and change auditing
- With multilanguage, globalization support

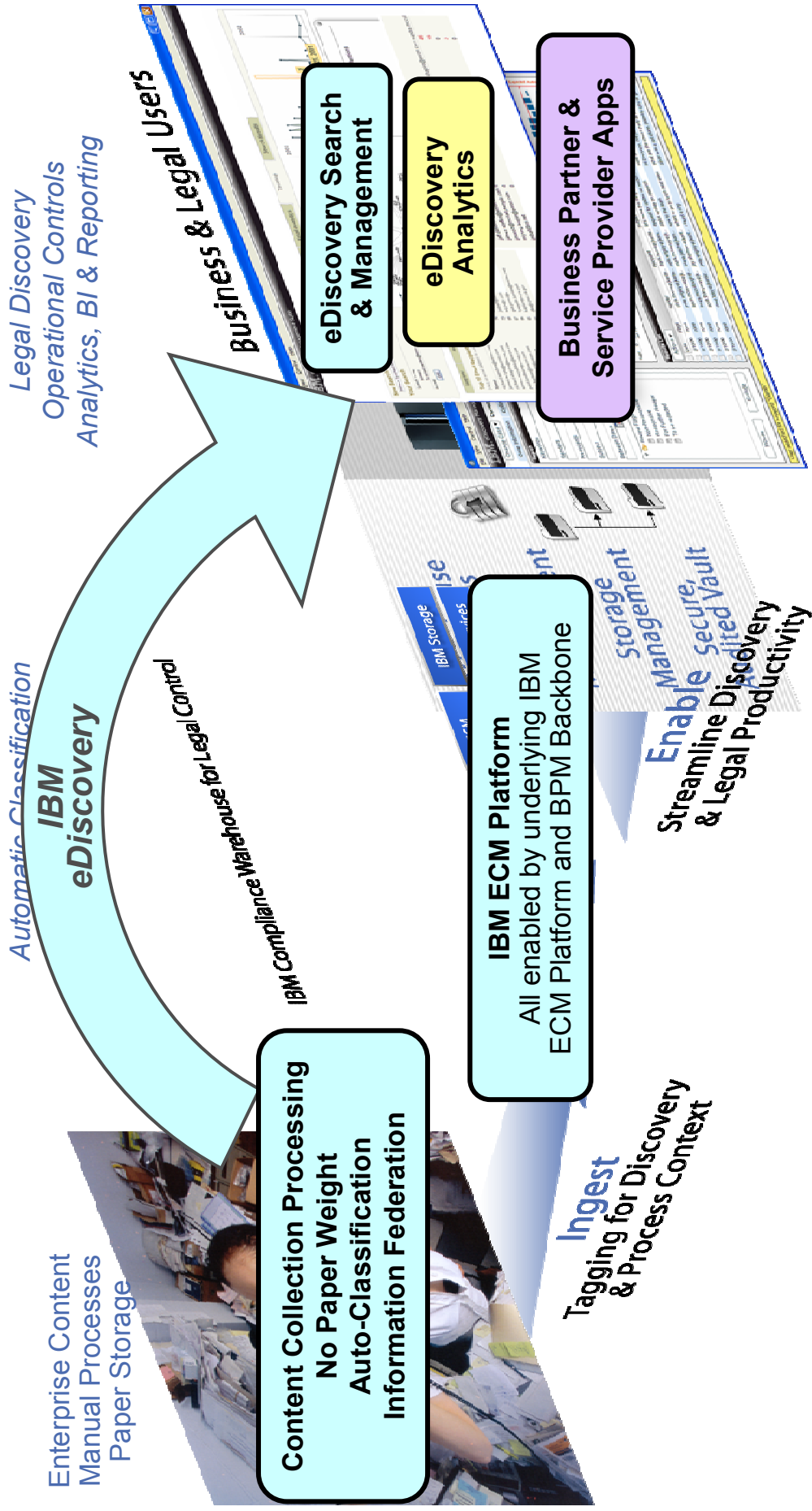
### Defensible

- Integral part of business processes
- Consistent
- Key to “reasonableness”
- Documented, measurable, repeatable

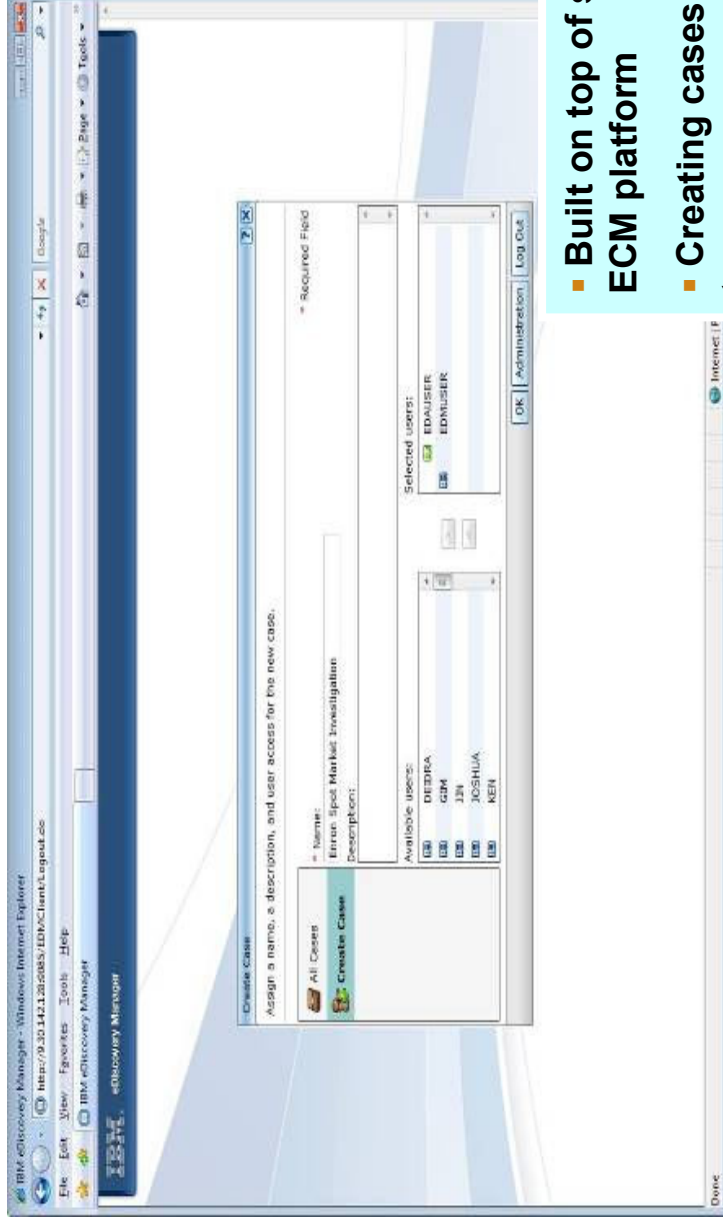
**All enabled by underlying IBM ECM Infrastructure and BPM Backbone**

# IBM eDiscovery Exploits ECM Platform Capability

## Building on the IBM Compliance Warehouse for Legal Control



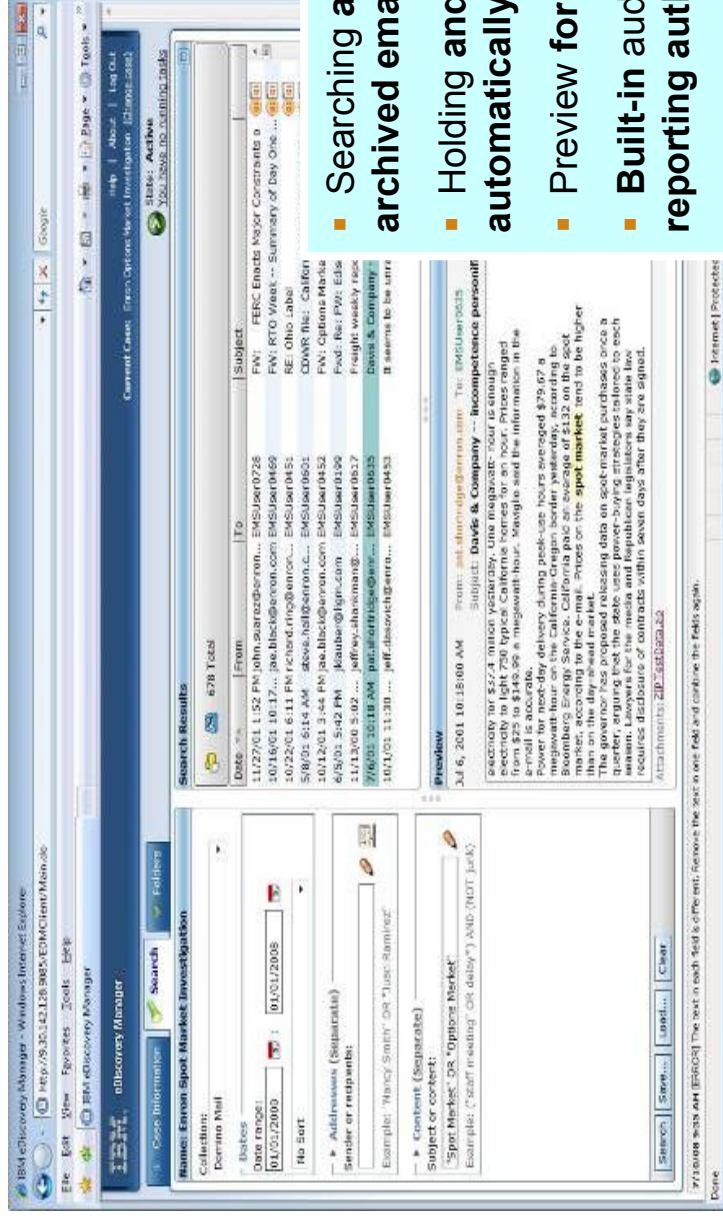
# Cornerstone: new IBM eDiscovery Manager v2.1 Integrated tool for managing ESI in an ECM environment



- Built on top of security rich, high scale IBM ECM platform
- Creating cases, user profiles, assigning users to cases
- Managing ESI in place for multiple cases



# Cornerstone: new IBM eDiscovery Manager v2.1 Integrated tool for managing ESI in an ECM environment



The screenshot displays the IBM eDiscovery Manager v2.1 interface. The top section shows search results for a collection named 'Dorinda Mail'. The search criteria include 'Date Range: 01/31/2008' and 'No Sort'. The search results table lists several email entries with columns for Date, From, To, and Subject. One entry is highlighted in green, showing a date of 10/11/08 5:02 PM and a subject line 'Davis & Company - Incompetence poisonous'. Below the search results, a preview window displays the content of the selected email. The preview shows a news article titled 'Incompetence poisonous' from 'Davis & Company' dated July 6, 2001. The article discusses electricity prices in California and the impact of a megawatt-hour auction. The preview also shows the email's metadata, including the sender 'Jeff Deschick' and the recipient 'Hancy Smith'.

- Searching and culling case-relevant archived email
- Holding and locking down the result set automatically
- Preview for relevancy
- Built-in auditing of access and change, reporting authenticity and chain of custody
- Exporting result set in native format for detailed attorney review

# Companion Coming Soon... eDiscovery Analyzer\* Breakthrough information insight

Search

Text Analytics

**eDiscovery Analyzer\***  
**Early Case Insight for Legal**

## Summary : IBM eDiscovery Optimizing Cost, Risk, and Agility for the Corporate Legal Agenda

1

Proactive ESI Management via proven, scalable IBM infrastructure and IBM Compliance Warehouse for Legal Control

2

Increased defensibility by making eDiscovery part of corporate business processes – automated, authenticated, consistent

3

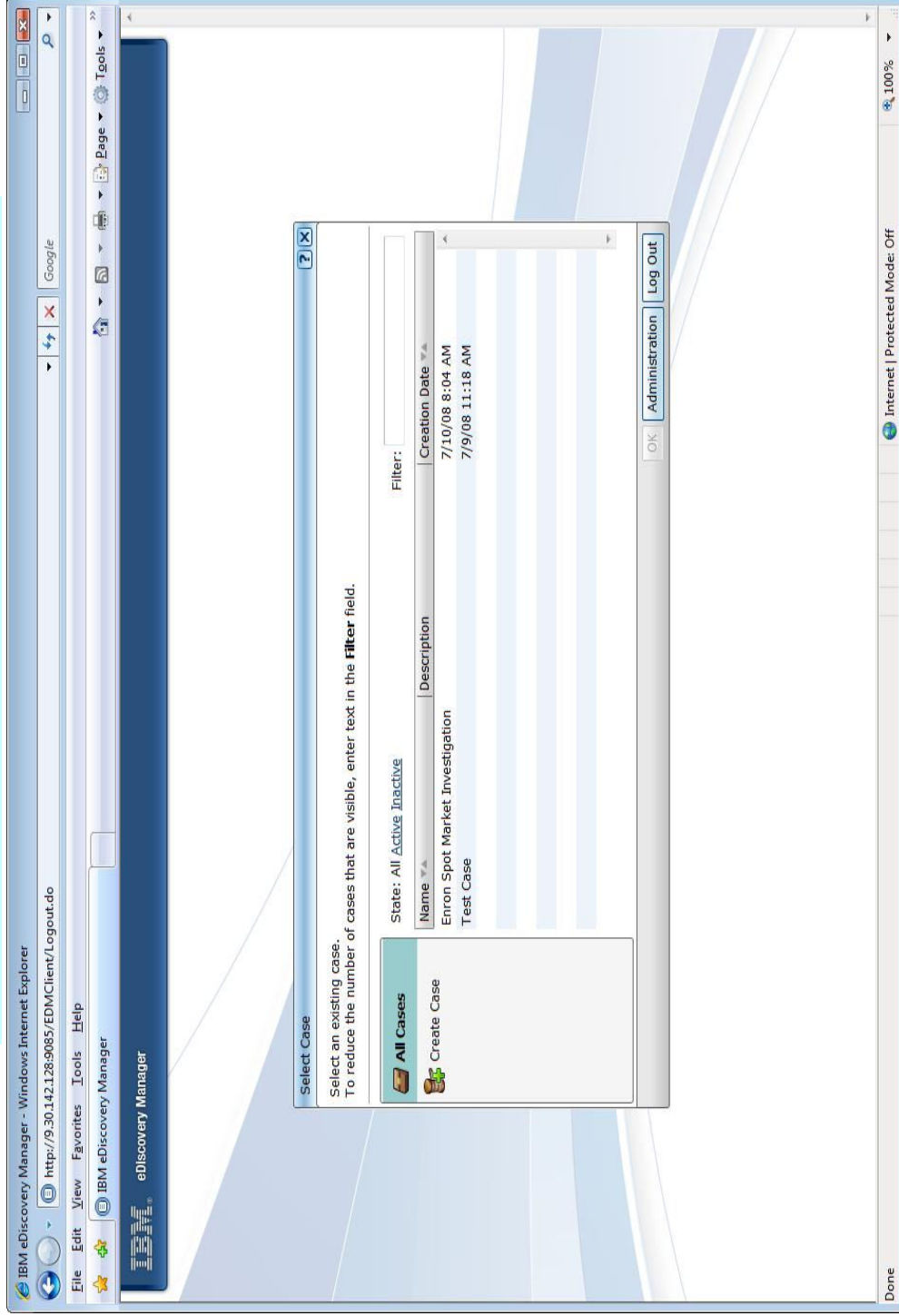
Agile litigation response with reduced cost & faster insight

4

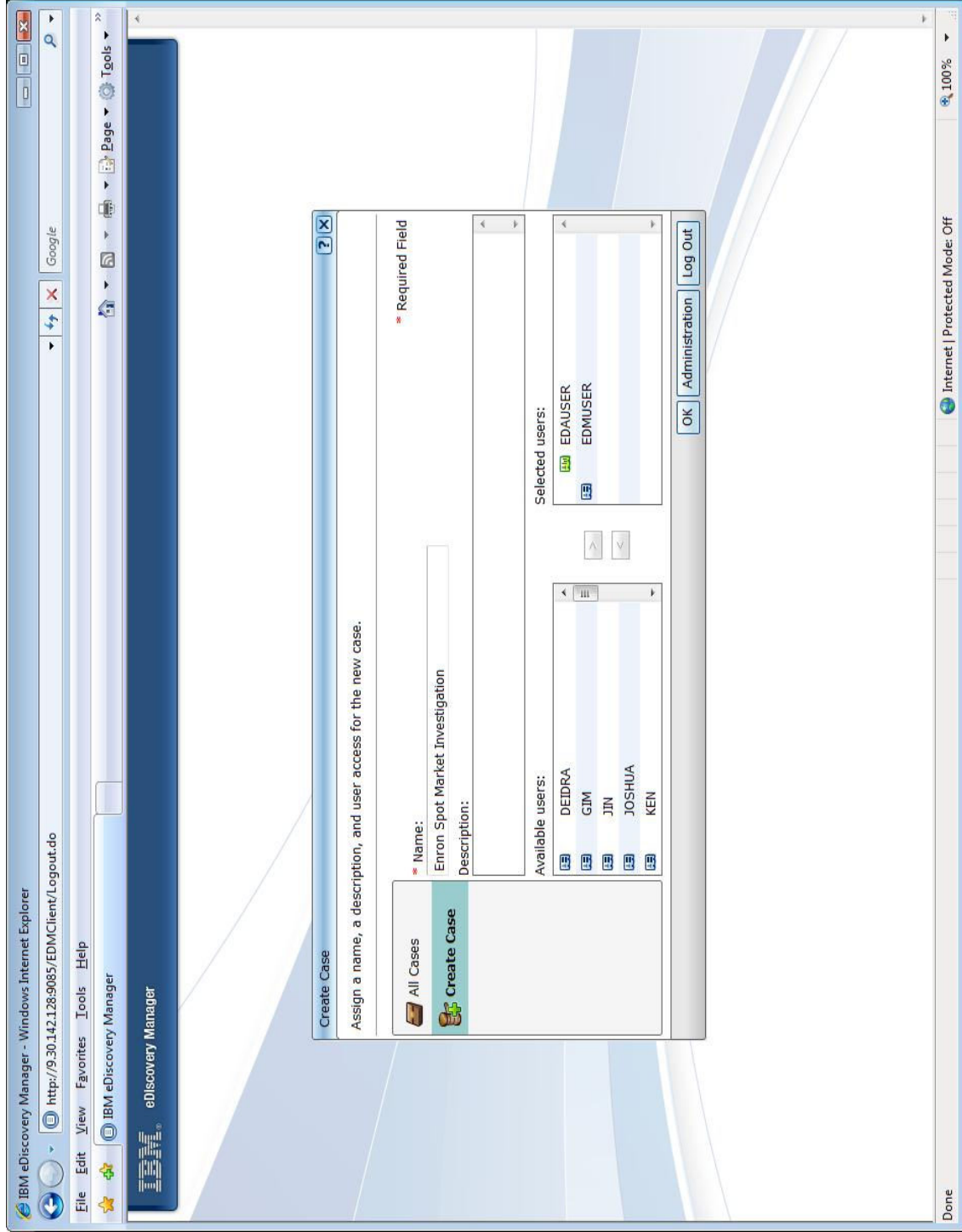
Foundation of an Information Agenda for Corporate Legal from IBM – long term, viable, global partner of choice

**All enabled by underlying IBM ECM Platform and BPM Backbone**

# eDiscovery Manager V2.1 – announced 5<sup>th</sup> August 2008 Sample Screenshots









IBM eDiscovery Manager - Windows Internet Explorer  
 http://9.30.142.128:9085/EDMClient/Main.do

File Edit View Favorites Tools Help  
 IBM eDiscovery Manager

Case Information Search Folders  
 State: Active  
 You have no running tasks

Current Case: Enron Options Market Investigation (Change case)

### Name: Enron Spot Market Investigation

Collection: Domino Mail

Dates  
 Date range: [01/01/2000] [01/01/2008]  
 No Sort

Addresses (Separate)  
 Sender or recipients:  
 Example: "Nancy Smith" OR "Juan Ramirez"

Content (Separate)  
 Subject or content:  
 "Spot Market" OR "Options Market"  
 Example: ("staff meeting" OR delay\*) AND (NOT junk)

Search Save... Load... Clear

Search Results 678 Total

Date	From	To	Subject
11/27/01 1:52 PM	John.suarez@enron...	EMSUser0728	FW: FERC Enacts Major Constraints o
10/16/01 10:17:...	jae.black@enron.com	EMSUser0469	FW: RTO Week -- Summary of Day One ...
10/22/01 6:11 PM	richard.ring@enron...	EMSUser0451	RE: Ohio Label
5/8/01 6:14 AM	steve.hall@enron.c...	EMSUser0601	CDWR file: California loses bridge loan
10/12/01 3:44 PM	jae.black@enron.com	EMSUser0452	FW: Options Market Update
6/5/01 5:42 PM	jklauber@ligm.com	EMSUser0199	Fwd: Re: FW: Edison (EX) Seriously Conc
11/13/00 5:02 ...	jeffrey.shankman@...	EMSUser0617	Freight weekly report
7/6/01 10:18 AM	pat.shortridge@enr...	EMSUser0635	Davis & Company -- incompetence perso...
10/1/01 11:30 ...	jeff.dasovich@enro...	EMSUser0453	It seems to be unraveling for Davis--Nee

Preview  
 Jul 6, 2001 10:18:00 AM From: pat.shortridge@enron.com To: EMSUser0635  
 Subject: **Davis & Company -- incompetence personified**

electricity for \$37.4 million yesterday. One megawatt-hour is enough electricity to light 750 typical California homes for an hour. Prices ranged from \$25 to \$149.99 a megawatt-hour. Maviglio said the information in the e-mail is accurate.

Power for next-day delivery during peak-use hours averaged \$79.67 a megawatt-hour on the California-Oregon border yesterday, according to Bloomberg Energy Service. California paid an average of \$132 on the spot market, according to the e-mail. Prices on the **spot market** tend to be higher than on the day-ahead market.

The governor has proposed releasing data on spot-market purchases once a quarter, arguing that the state uses power-buying strategies tailored to each season. Lawyers for the media and Republican legislators say state law requires disclosure of contracts within seven days after they are signed.

Attachments: ZIPTestData.zip

7/10/08 9:35 AM [ERROR] The text in each field is different. Remove the text in one field and combine the fields again.

Done Internet | Protected Mode: Off

The screenshot displays the IBM eDiscovery Manager web interface within a Windows Internet Explorer browser. The browser's address bar shows the URL `http://9.30.142.128:9085/EDMClient/Main.do`. The page title is "eDiscovery Manager".

At the top, a navigation bar includes "File", "Edit", "View", "Favorites", "Tools", and "Help". A "Current Case" section indicates "Enron Options Market Investigation" with a "Change Case" link. The status is "State: Active" and "You have no running tasks".

The main content area is divided into several sections:

- Folder Navigation:** Contains icons for "Case Information", "Search", and "Folders".
- Contents of Non Responsive:** A table listing folders. A context menu is open over the "Non Responsive" folder, showing options: "Rename Folder", "Export Folder Contents", "Declare Folder Contents as Records", and "Delete Folder".
- Email List:** A table with columns "Date", "From", "To", and "Subject". It lists five email entries, with the first one selected.
- Preview:** A section for viewing the content of the selected email, currently displaying the text "Select a document from the results list to preview."

The status bar at the bottom shows the date and time "7/10/08 10:14 AM [INFO] Successfully connected." and "Done".

Date	From	To	Subject
11/27/01 1:52 PM	john.suarez@enron.c...	EMSUser0728	FW: FERC Enacts Major Constraints o
6/01 10:17 AM	jae.black@enron.com	EMSUser0469	FW: RTO Week -- Summary of Day One Panel
2/01 6:11 PM	richard.ring@enron.c...	EMSUser0451	RE: Ohio Label
11 6:14 AM	steve.hall@enron.com	EMSUser0601	CDWR file: California loses bridge loan
2/01 3:44 PM	jae.black@enron.com	EMSUser0452	FW: Options Market Update

The screenshot displays the IBM eDiscovery Manager web interface within a Windows Internet Explorer browser. The browser's address bar shows the URL: `http://9.30.142.128:9085/EDMClient/Main.do`. The page title is "IBM eDiscovery Manager".

The main interface area is titled "Contents of For Analysis" and shows a list of items with columns for "Date", "From", "To", and "Subject". The selected item is:

Date	From	To	Subject
6/5/01 5:42 PM	jklauber@ligm.com	EMUser0199	Fwd: Re: Edison (EX) Seriously Conc

Below the list, there is an "Export" section with the following configuration:

- Export subdirectory: Enron
- Export file name prefix: Enron\_Options\_Market\_Investigation\_case\_07\_08
- Notification e-mail addresses: ken.lay@enron.com
- Export task name: Export Enron Options case 07/08
- Export task description: Export Enron Options case - First Pull 07/08
- Schedule Task

A "Start Time" dialog box is open, showing:

- Date: 07/10/2008
- Time: 10:00

The status bar at the bottom of the browser indicates: "7/10/08 9:48 AM [INFO] Your request was submitted. Check the Case Information page for the current status of the task." The status bar also shows "Done" and "Internet | Protected Mode: Off".



The screenshot displays the IBM eDiscovery Manager web interface. At the top, the browser address bar shows the URL: `http://9.30.142.128:9085/EDMClient/Main.do`. The main navigation pane on the left includes 'Case Information', 'Search', and 'Folder Navigation'. The central area shows a list of folders for analysis, with a modal dialog box open over it. The dialog box has a title bar 'Contents of For Analysis' and a table with the following data:

Date	From	To	Subject
6/5/01 5:42 PM	jklauber@lglm.com	EMSUser0199	Fwd: Re: Edison (EX) Seriously Conc
11/13/00 5:02 AM	jeffrey.shankman@en...	EMSUser0617	Freight weekly report
7/6/01 10:18 AM	pat.shortridge@enron...	EMSUser0635	Davis & Company -- Incompetence personif
10/...			ns to be unraveling for Davis--Nee
5/1/...			on the Street -- Reliant Was Setup
9/1/...			presto comments on the summary of
10/...			IES draft ICAP paper
9/1/...			s Final SE RTO Mediation Report +
5/4/...			7) Use of Letters of Credit, Certa
10/...			RTO week: Market Monitoring Sessio

Below the table, there are several task configuration options:

- Declare Folder Contents**
- Records Declare Task Name:**
- Records Declare Task Description:**
- records declar of 673 emails**
- Notification e-mail addresses:** sharon.watkins@enron.com
- Schedule Task**
- Start Time**
- Date:** 07/10/2008
- Time:** 11:00

The status bar at the bottom indicates '7/10/08 10:14 AM [INFO] Successfully connected.' and 'Done'.

**eDiscovery Analyzer V2.1\* – Sept 2008 Announcement Sample Screenshots**

Administration Case Information Search

Search  
 Keywords: pipeline  
 Sender:  
 Recipient:  
 Subject:  
 Dates between: 5 : 5

Phrases  
 Senders  
 Recipients  
 Flags

570 results (0 selected)

Timeline  
 How do I narrow results? --

1 - 25 of 570 results  
 Previous 1 2 3 4 5 6 7 8 9 10 Next

Sort by: Relevance | Date

Group by Message | Thread

1/2/02 11:00 AM 0 flags  
 Sender: ed.mcMichael@enron.com  
 Recipient: steve.van@enron.com, t.hodge@enron.com, gerald.nemec@enron.com (details)

Summary  
 ... Jr., Ed Subject: FW: Outstanding Invoices Related to Transwestern Pipeline Capacity C ... Cc: 'EHamlin@cn.com' Subject: Outstanding Invoices Related to Transwestern Pipeline ...

Subject: ECS Sale of Gas  
 ron.com>,mark.knipppa@enron.com, stephanie.miller@enron.com,  
 s with Transwestern Pipeline Company. The gas is T ... TW has stem since it is packing their pipeline ...

Subject: RE: More Contracts  
 Subject: RE: More Contracts  
 Sender: susan.elledge@enron.com  
 Recipient: gerald.nemec@enron.com (details)

**eDiscovery Analyzer V2.1\* – Sept 2008 Announcement**  
 remaining Sample Screenshots removed from version of presentation given to ECM User Group. Come back to me ([Nigel.Freeman@uk.ibm.com](mailto:Nigel.Freeman@uk.ibm.com)) after end of September and I can let you have them...!

# QUESTIONS THAT YOU

## For more information on IBM eDiscovery

- **IBM eDiscovery microsite**  
<http://www.filenetinfo.com/mk/submit/ediscoveryop? JS=true&sor=CatalystEmail>
- **IBM ECM Discovery**  
<http://www-306.ibm.com/software/data/content-management/products/search.html>
- **IBM Compliance Management**  
<http://www-306.ibm.com/software/data/content-management/products/compliance.html>
- **eDiscovery on Xtreme Leverage (IBM internal)**  
[http://w3-103.ibm.com/software/xl/portal/!ut/p/c1/04\\_SB8K8xLLM9MSSzPy8xBz9CP0os3hvL3c\\_A3cfQwMLb29nAyMPb8sQFw9niwN316B8JLK8cYABUN4iMCawxMgQYCRGtweO4GhAQHC4vLX4bQfJ4zHfzvM N1W IDC0w iDLRBEAjsy w!i/d12/d11/L0IDU0IKSmdra2trIS9JSFNBQ0!ptXJJSW9xZyEhL1IBMU5JNTA1NUZ5OTh6dyEvN19LSkdOMEdMMTA4S0tDMDJISzIUREhDmJA4MIC9XbF9fXzU0L3ZpZXcvc2EuYWN0aW9uLmZhY2V0ZW RzzWFY2qi?&PC 7 KJGN0GL108KKC02HK9TDHC2080 sortBy=lastModified&node=txt%2Cediscovery%7Cbrandcategoryproduct%2Cbrdm%7Cbrandcategoryproduct%2Ccadb2contentmanagement%7C&PC 7 KJGN0GL108KKC02HK9TDHC2080 txtQuery=ediscovery&PC 7 KJGN0GL108KKC02HK9TDHC2080 maxresults=25&PC 7 KJGN0GL108KKC02HK9TDHC2080 sortOrder=desc&offset=0](http://w3-103.ibm.com/software/xl/portal/!ut/p/c1/04_SB8K8xLLM9MSSzPy8xBz9CP0os3hvL3c_A3cfQwMLb29nAyMPb8sQFw9niwN316B8JLK8cYABUN4iMCawxMgQYCRGtweO4GhAQHC4vLX4bQfJ4zHfzvM N1W IDC0w iDLRBEAjsy w!i/d12/d11/L0IDU0IKSmdra2trIS9JSFNBQ0!ptXJJSW9xZyEhL1IBMU5JNTA1NUZ5OTh6dyEvN19LSkdOMEdMMTA4S0tDMDJISzIUREhDmJA4MIC9XbF9fXzU0L3ZpZXcvc2EuYWN0aW9uLmZhY2V0ZW RzzWFY2qi?&PC 7 KJGN0GL108KKC02HK9TDHC2080 sortBy=lastModified&node=txt%2Cediscovery%7Cbrandcategoryproduct%2Cbrdm%7Cbrandcategoryproduct%2Ccadb2contentmanagement%7C&PC 7 KJGN0GL108KKC02HK9TDHC2080 txtQuery=ediscovery&PC 7 KJGN0GL108KKC02HK9TDHC2080 maxresults=25&PC 7 KJGN0GL108KKC02HK9TDHC2080 sortOrder=desc&offset=0)

or contact Nigel\_Freeman@uk.ibm.com

