

HOW VARONIS HELPS WITH E-DISCOVERY AND FEDERAL RULES OF CIVIL PROCEDURE (FRCP)

OVERVIEW

To prepare for trial, attorneys engage in discovery, a process of exchanging information between parties about the witnesses and evidence they intend to present at trial. Parties exchange both digital and hard- copies. As businesses increasingly store data in electronic formats, electronically stored information (ESI) is becoming the standard form of discovery in many cases.

In 2006, the term electronic discovery (e-discovery) was coined in the Supreme Court's amendment to the Federal Rules of Civil Procedure (FRCP). FRCP delineates the rules for discovery and provides guidance on how ESI should be managed during discovery.

Who Needs To Comply

While attorneys are ultimately responsible, the IT department is commonly enlisted during discovery. Responsibilities of the IT department will be to locate all ESI relevant to the case and present it to the attorneys in a timely manner.

Risks In Non-Compliance

Failure to identify and locate files requested during the discovery period would result a delay in the case as well as financial costs to both legal teams.

How Varonis Helps With e-Discovery/Federal Rule of Civil Procedures

In order to comply with the Federal Rule of Civil Procedures during discovery, here's how Varonis solutions can assist in managing your electronic information.

Requirement	Description	Varonis Solutions
Rule 16	<p>(b) Scheduling</p> <p>(2) Time to Issue. The judge must issue the scheduling order as soon as practicable, but in any event within the earlier of 120 days after any defendant has been served with the complaint or 90 days after any defendant has appeared.</p> <p>---</p> <p>The purpose of this 120 day rule is to save both the court and attorney time. Both parties must prepare to address its plans for eDiscovery and document production within 120 days of a company filing a lawsuit. Failure to identify and locate ESI can cost the legal teams the ability to make arguments as electronic information would not reasonably accessible. This means that legal teams must have complete understanding of their ESI.</p>	<p>Without an efficient, incremental data classification and indexing engine like Varonis' IDU Classification Framework and Varonis DatAnswers, locating and retrieving all relevant ESI within the 120 day timeframe can be daunting.</p> <p>DatAnswers maintains an index so that electronic information containing specific terms can be found at any time.</p> <p>The IDU Classification Framework can automatically locate ESI based on a multitude of criteria: keywords, patterns, date created, date last accessed, date modified, user access, owner, and many more making it possible for IT to prepare for eDiscovery quickly and with minimal resources.</p> <p>The IDU Classification Framework is an automated classification engine; DatAnswers is an automated enterprise search engine. They do not require users to manually flag or tag data (though that is possible, too). They classify and index data across multiple platforms (Windows, NAS, SharePoint, etc.).</p>

Requirement	Description	Varonis Solutions
Rule 26 (a) Required Disclosures	(ii). a copy – or a description by category and location – of all documents, electronically stored information, and tangible things that the disclosing party has in possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment;	<p>Critical to discovery, Varonis <u>DatAdvantage</u> can identify and locate all ESI, show which users and groups have access, and provide an audit on all ESI, such as when the file, directory services object, and email was open, edited, deleted, etc.</p> <p>DatAdvantage can also show trends in a user's data access behavior and can create alerts when behavior becomes abnormal.</p> <p>Once you have a high level overview of where relevant electronic information is stored, there are additional steps that you can take to automate the eDiscovery process. Varonis <u>Data Transport Engine</u> provides the flexibility to configure rules, based on your eDiscovery criteria, and then automatically move or copy relevant ESI to a secure folder or SharePoint site for legal teams to review and prepare for court.</p>



ABOUT VARONIS

Varonis is the leading provider of software solutions for unstructured, human-generated enterprise data. Varonis provides an innovative software platform that allows enterprises to map, analyze, manage and migrate their unstructured data. Varonis specializes in human-generated data, a type of unstructured data that includes an enterprise's spreadsheets, word processing documents, presentations, audio files, video files, emails, text messages and any other data created by employees. This data often contains an enterprise's financial information, product plans, strategic initiatives, intellectual property and numerous other forms of vital information. IT and business personnel deploy Varonis software for a variety of use cases, including data governance, data security, archiving, file synchronization, enhanced mobile data accessibility and information collaboration.

FREE 30-DAY ASSESSMENT

WITHIN HOURS OF INSTALLATION

You can instantly conduct a permissions audit: File and folder access permissions and how those map to specific users and groups. You can even generate reports.

WITHIN A DAY OF INSTALLATION

Varonis DatAdvantage will begin to show you which users are accessing the data, and how.

WITHIN 3 WEEKS OF INSTALLATION

Varonis DatAdvantage will actually make highly reliable recommendations about how to limit access to files and folders to just those users who need it for their jobs.

START YOUR FREE TRIAL

WORLDWIDE HEADQUARTERS

1250 Broadway, 31st Floor, New York, NY 10001 T 877-292-8767 **E** sales@varonis.com **W** www.varonis.com

UNITED KINGDOM AND IRELAND

Varonis UK Ltd., Warnford Court, 29 Throgmorton Street, London, UK EC2N 2AT T +44 0207 947 4160 **E** sales-uk@varonis.com **W** www.varonis.com

WESTERN EUROPE

Varonis France SAS, 13-15 rue Jean Jaures (1er Etage) 92800 Puteaux T +33 184 88 56 00 **E** sales-france@varonis.com **W** sites.varonis.com/fr

GERMANY, AUSTRIA AND SWITZERLAND

Varonis Deutschland GmbH, Welserstrasse 88, 90489 Nürnberg T +49(0) 911 8937 1111 **E** sales-germany@varonis.com **W** sites.varonis.com/de

