I've decided to archive my emails

Your supervisors are concerned

Your attorneys are unclear

Your colleagues don't agree on a decision

The internet has too many opinions

You just want to be covered

8 features to look for in an email archiving solution

Why archive?

Federal Rules of Civil Procedure (FRCP)

FRCP is the set of rules that govern and determine how and what is required during a civil litigation. It covers many aspects of litigation in great detail including pleadings, motions, disclosures etc. More importantly, the amendments made in 2006 cover the topic of 'ediscovery' specifically. Email archiving is intended to solve the ediscovery requirements for organizations so that they can be in compliance with this law.

Do I need to archive my email?

Unless you are your own employee and your own customer, you'll probably need to archive your emails properly. If you do any correspondence through email, all those discussions and agreements made in the email will be deemed discoverable by the courts. That means that the opposing litigants can ask for these relevant emails, and you will have to produce it or you may be fined. Some of the fines can be pretty hefty, as you'll see on the next page where we explain some of the prior cases.

Do I need to keep every email I get?

No you do not. You can delete your emails routinely as set by your retention policy. But if you find out that you might be involved in litigation, then you have to suspend your email deletion and make sure you keep everything until the trial is over. This is commonly referred to as placing a "litigation hold."

What is a retention policy?

A retention policy is an email deletion policy that allows you to delete emails that have been sitting in storage past a certain time. Storing any kind of electronic data can be expensive, depending on the volume. While the storage is only 20% of the total cost, the other 80% of expenditure goes to the IT support costs. So, deleting old emails and .pst files is a common practice to keep expenditures at a minimum, so that IT doesn't have to spend an outrageous amount of time managing the data. Your policy can range from anywhere between one day to indefinitely. The typical retention policy is between 3 to 7 years, depending on what your organization is comfortable with and such considerations as the statute of limitations in effect. The typical retention policy establishes a retention period for education at 3 years and for corporations at 5 years. Legal counsel can provide sound advice in helping to establish a suitable retention policy.**

Courts look at a litigant's email retention policy to determine if data is being shared in good faith. An organization with a reasonable retention schedule and enforces litigation holds is looked upon as an entity with 'good faith,' and is looked upon favorably. Maintaining good faith is extremely important because of previous devious acts by Enron.

**If you're having trouble setting up or deciding on an appropriate retention policy, contact us and we'll be glad to discuss and advice you on an appropriate time schedule.

Cases avoidable through email archiving

Case	Implication
Daimler vs. Davis Racing [December 2005] Bill Davis' policy was to auto-delete all inbound and outbound emails. However, *during* litigation, they did not suspend this policy, and retain all the emails. The court ruled there was bad faith because they didn't stop deletion during trial.	**Matter of Policy**
Mosaid vs. Samsung [July 2004] Parties relied on email communication before and during the term of their contract. The defendant deleted most of the emails and claimed the plaintiff did not define the email as documents. Court ruled that the emails should have been kept and that they SHOULD have known this.	**All Email is Evidence**
3M vs. Tomar [September 2006] Tomar did not ask all their employees if they knew about anything about the contract. Since 3M had previously communicated with a lot of people within the company, not only is the principal contact persons' email important, but everyone else who had somehow communicated with the client. Court ruled in favor of 3M because Tomar was reckless and they faced sanctions for giving false testimony.	**Information found in Unexpected Emails**
September 11 liability vs. Zurich [June 2007] Zurich deleted electronic versions of all their documents and only kept the print versions. It took them too long to get the printed copy of the document to the courts during trial. Court ruled that they should have kept all the electronic documents and made it easier to find.	**Archiving as a backup**

*If you'd like more details on these cases and other related cases, visit http://workshop.datacove.net/cases

MYTHS: Non-alternatives to archiving

There are many misconceptions in opinions when it comes to archiving. Because archiving is a way of backing up email, there are opinions out there that are misleading, and can end up being very costly in the future.

Outlook archives my emails automatically

Yes it does, but it has one large drawback. Outlook archives emails for each user by pulling the emails off of the exchange server and storing it in the individual user's hard drive. Now the server admin loses all access to the centrally stored data, and has to look through each user's personal computer. If your organization has more than 10 users, this can be very time consuming. Emails that have not been properly archived are non-compliant, because emails can be easily edited by the user once they have been removed off of the server. If Outlook.pst files are located on multiple computers, the data can not be searched from a single location, and is in violation of a compliant retention policy.

I'll backup these .pst files onto a hard drive

Sure you can save it, but it isn't compliant. Saving the files on a hard drive only stores the files, but does not make it compliant as it is not tamper-proof. Anyone with access to it can edit the content. It is difficult to verify that the content hasn't been tampered with, and this may not reflect very well in litigation.

Another challenge with backing up these files in a hard drive is that there is no search functionality. It will become expensive and time consuming to have to look through all the user emails and attachments to find the relevant evidence for the courts.

These rules don't apply to me

If your company has employees using email for communication, you should be archiving. No one plans to be in litigation, but most organizations end up in one or more litigations. When litigation arises, all the pertinent emails in regard to your case will be called in question. Without an archiving solution, hiring a consultant to index and find the relevant emails can be prohibitively expensive.* Why do you file paper documents? Most of us keep them because they're important and might be useful in the future for various reasons. Archiving emails serves the same purpose for email communications.
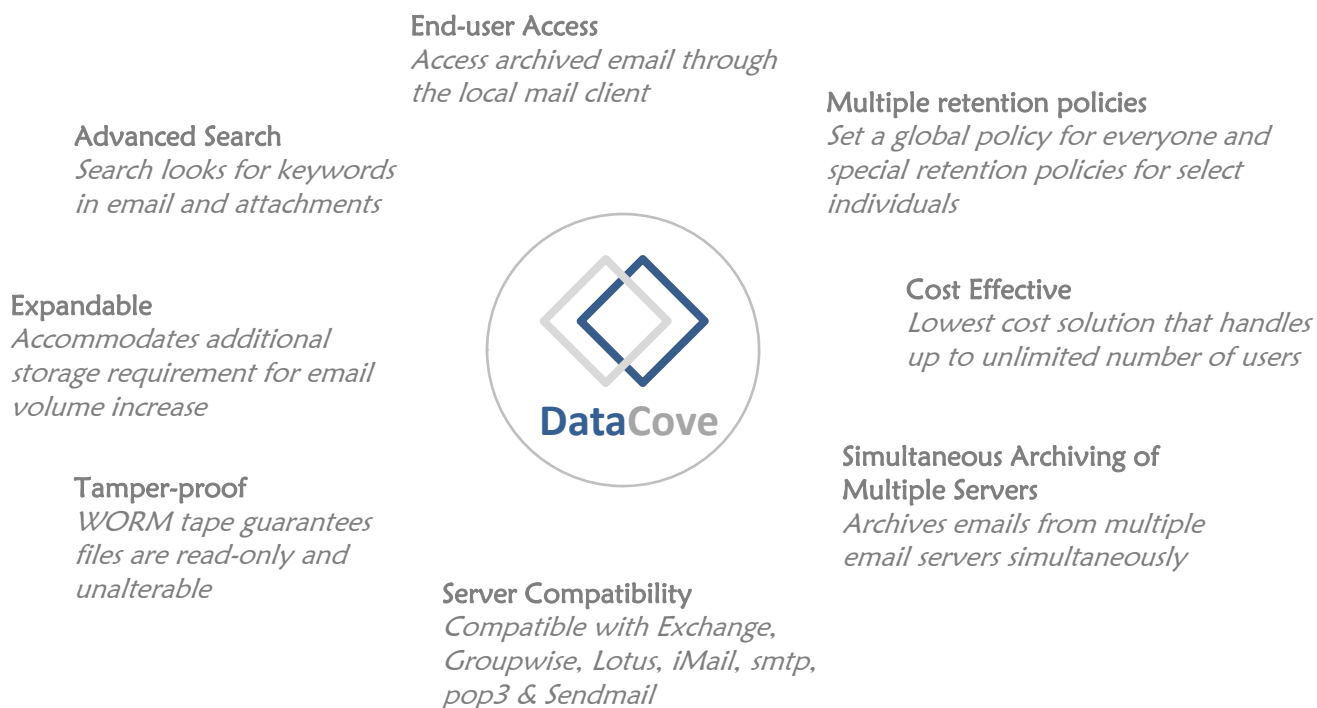
I keep hard copies

Keeping hard copies is always a good idea. It provides a secondary or tertiary backup source for all your important documents. You'll have these files at your disposal if your network crashes or is temporarily disabled. But it is best practice to keep a secure easy-to-search archive of your Electronically Stored Information (ESI) as well. If you go to court, your opponent may request your ESI in whatever format they prefer, and you'll have to produce your ESI accordingly. If they require ESI in digital format (which the most often do, because of the availability of the meta data), you will have to reproduce that data from your paper backups. However, if you've kept the emails archived, you can just as easily run a report that will generate the relevant content required.

In the event of a fire, paper documents may get destroyed. These paper documents could get burnt, or turned into pulp when the water from the sprinklers smudge the ink and data on it. If you have electronic copies of these documents archived in email, they can be easily reprinted or restored.

*For more detail on these cases , visit http://workshop.datacove.net/cases

8 features to look for in an email archiving solution

End-user Access
Access archived email through the local mail client

Advanced Search
Search looks for keywords in email and attachments

Multiple retention policies
Set a global policy for everyone and special retention policies for select individuals

Expandable
Accommodates additional storage requirement for email volume increase

Cost Effective
Lowest cost solution that handles up to unlimited number of users

DataCove

Tamper-proof
WORM tape guarantees files are read-only and unalterable

Simultaneous Archiving of Multiple Servers
Archives emails from multiple email servers simultaneously

Server Compatibility
Compatible with Exchange, Groupwise, Lotus, iMail, smtp, pop3 & Sendmail

Advanced Search

Its important to make sure an archiver has the necessary functions that will help you find the information you require. With DataCove, emails can be found by searching through content, attachments, by user and by date. You can find emails and any type of attached documents that were sent by searching through each person, date, project name or some other custom content. Your system administrator will be able to find these emails throughout the entire organization without having to go through the hassle of interviewing and contacting each person involved.

End-user Access

There is no telling when and whom in the organization may need to find certain relevant emails for either litigation or for other informational purposes. Consequently it's very important for all end users to be able to access their emails from their mail clients as well. An archiving solution that allows access from multiple mail clients such as Outlook, I-Mail or Groupwise will allow users on different servers to be able to access the corporate archive of pertinent emails when required. DataCove allows end-user access , but also gives the administrator to determine the level of access that end users are granted within the archive. For example, the President will have access to everything while the end-user only has access the their own emails.

8 features to look for in an email archiving solution ~continued

Server Compatibility

A good archiver is compatible with multiple mail servers. An email archiver is a server that you keep running without much need for active human interaction. It's also a long-term investment. Finding an archiving appliance that will handle a lot of servers is important so that it will accommodate any upgrades or changes you make to your mail servers. If you decide to change your mail server in the future, you only have to make minor settings alterations to the email archiving appliance to make sure it's compatible with your new server.

Multiple Retention Policies

Simultaneously being able to have multiple retention policies serves numerous benefits, including retention by segmenting your users to saving storage space. Since some groups of people in your organization have more important business related emails, you can set either a longer or shorter retention periods for them. For instance end-user emails which are not that important can be stored for 1 year. Middle Management's emails can be stored for 3 years and the President's email can be stored for 7 years. On the DataCove, all of these retention periods are user customizable.

Tamper-Proof / Compliant

Write Once Read Many (WORM) drives store information in a permanent non-editable format. This non-editable format makes these files tamper-proof. When the court requests to verify the legitimacy of data, the non-editable worm media provides irrefutable proof of your data compliance. Having a tamper-proof archiving solution facilitates SEC, NYSE, NSAD, HIPAA, SOX and FRCP compliance. Compliant email archival appliances will capture metadata and provide you with an audit log (chain of evidence) that functions as a compliance report.

Expandable

As your email archiving appliance stores your emails over time, your organization may grow and expand. You may either need to add more users or more capacity. DataCove offers expandable storage capacity. With the ability to add new WORM storage tapes, you'll have an unrestricted capacity to the archive your data instead of a limited capacity system.

Cost Effective

In today's economy, you can't afford to get into costly litigations or spend too much money on new acquisitions. So, picking a cost effective product will not only ensure compliance but also help you keep your budget intact. DataCove is the most cost effective expandable email archiving solution on the market.

There are many other manufacturers that boast of enterprise level backup and restoration services costing over a hundred thousand dollars. The DataCove archiving solution equipped with all the important features starts at $5,000.

Simultaneous Archiving of Multiple Servers

If you are a medium to large sized organization, you might be operating multiple servers in different locations. Seamless archival of data from multiple sources to the main server becomes more of a need than convenience. By utilizing a good email archiver, you can archive emails from multiple servers simultaneously, and users will be able to access the collective knowledge without having to dig into multiple servers separately. DataCove archives multiple servers simultaneously into one back-end appliance without needing extra hardware.

DataCove

Competitive Analysis

Feature	DataCove	Barracuda	ArcMail	Jatheon	Symantec
Search Engine					
Tamper-proof media searchable	**Yes**	only NAS	*must be re-imported*	Yes	Yes
Short common words	**Yes**	No	No	Yes	Yes
Alpha Numeric String	**Yes**	Yes	Yes	Yes	Yes
Retention					
Multiple retention policy	**Yes**	Yes	No	Yes	Yes
Global Retention Period	**years**	days	years	years	years
Maximum Storage	**120TB**	4 TB	12TB	105TB	user supplied
Tamper Proof	**Yes**	Yes	Yes	Yes	Yes
Expandable /Growable	**Yes**	Yes	No	*only large units*	Yes
Litigation hold	**Yes**	-	-	Yes	
Multiple retention policies	**Yes**	Yes	-	Yes	-
Multiple server integration	**Yes**	-	-	-	-
End-user access	**Yes**	Yes	Yes	Yes	Yes
Indexing	**Yes**	Yes	Yes	Yes	Yes
Audit log	**Global, User and Auditor**	Global only	User	Global, User and Auditor	-
Supported Users	**unlimited**	15,000	10,000	unlimited	unlimited
Servers					
Exchange	**Yes**	Yes	Yes	Yes	Yes
GroupWise	**Yes**	Yes	*added cost*	Yes	No
Lotus Notes	**Yes**	Yes	Yes	Yes	Yes
iMail	**Yes**	Yes	Yes		No
SMTP/POP3/IMAP	**Yes**	Yes	Yes		No
Zimbra	**Yes**	Yes	Yes		No
PostFix	**Yes**	Yes	Yes		No
MSN/ICQ/AIM	**Yes**	Yes	No		Yes

DataCove

Competitive Analysis ~ *cont'd*

Feature	DataCove	Barracuda	ArcMail	Jatheon	Symantec
Data Type Stored					
email systems	**Yes**	Yes	Yes	Yes	Yes
.pst	**Yes**	Yes	Yes	Yes	Yes
IM	**Yes**	No	Yes	Yes	-
Fax	**Yes**	Yes	No	No	Yes
VOIP	**Yes**	Yes	No	No	No
Role Interface					
Active Directory	**Yes**	Yes	-	Yes	Yes
LDAP	**Yes**	Yes	-	Yes	
Clustering	**Yes**	Yes	No	*SANS/NAS only*	No
Factory Support	**USA . Canada . Europe**	USA	USA - Canada	USA - Canada	USA - Canada

Pricing	DataCove	Barracuda	ArcMail	Jatheon	Symantec
Price @ 500 users	**$4,990**	$5,498	$5,748	$17,995	$20,000 *license only*
Availability					
"Hosted"	**Yes**	No	No	No	No
Channel Partners	**Yes**	Yes	No	Yes	Yes
Direct	**Yes**	Yes	Yes	Yes	No

Additional Resources

Videos

[Thomas Hutton](#), from NSBA
[Joseph Burton](#), from Duane Morris

Civil Procedure Cases

[Civil procedure cases page 1](#)
[Civil procedure cases page 2](#)

FRCP

[DataCove FRCP](#)
[FRCP](#)

DataCove Information

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Contact Us

191 Airport Blvd
Burlingame, CA 94401
United States
(800)342-9388 x4
sudd@tangent.com

Recommendations

"DataCove was a breeze to set up and just as easy to manage. It's pretty much plug it in, set it and forget it. When you need to retrieve any archived item, access is a snap. Tangent support, as always, is also fast and efficient. Tangent has made email archiving a no-brainer."

~ Kerry Moncrief, **Blue River Valley Schools**

"*I selected DataCove for its robust feature set, cost effectiveness and the support team at Tangent. I definitely feel that we made the best choice possible for our District.***"**

~ Dave Jenkins, **EHOVE Career Center**

*"We are extremely happy with DataCove as our E-mail Archiving solution. It has already proved very effective for us helping to diffuse a potential problem quickly when fast access to our archived e-mail was needed.***"**

~ Larry Koby, **Newcastle Community School Corporation**

"We used the 'Cove' for our first email investigation yesterday and it performed perfectly. I'm sure you aren't surprised but just wanted to let you know. Thanks again to you and your team for the efforts in getting our system up and running."

~ Joseph Tesar, **Goose Creek ISD**

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Winner of Network Products Guide Reader Trust Award

Readers' Choice top 100 products 2007-08
District Administration Magazine

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