

A PARTNER *for the*
BIGGER PICTURE

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The power of you

NightOwl's dynamic programs leverage state-of-the-art advanced technology combined with sophisticated expertise, putting you at the controls of your organization's discovery management process.

DISCOVERY MANAGEMENT

Managing Complex Discovery

Organizations today face spiraling costs, unprecedented judicial and regulatory scrutiny, and emerging and systemic security risks in electronic discovery. To address these issues, NightOwl Global offers specialized programs for corporations and law firms seeking fully managed, defensible, and cost predictable discovery management programs.

NightOwl combines the best technology platforms in the industry with sophisticated workflows and highly customizable reporting mechanisms to deliver a seamless discovery solution.

Our flexible and cost-effective programs allow organizations to choose from either fully managed, turnkey programs in which discovery personnel and technology are provided entirely by NightOwl or customer purchased technologies that are deployed, managed, and either hosted by NightOwl or behind the corporate firewall. No matter which program you choose, the one constant with all NightOwl discovery management programs is our commitment to outstanding service and operational excellence.

With small teams, large caseloads, and limited budgets, most legal teams are greatly challenged to implement the very technology tools that can help them the most.

Three obstacles that most often hinder this process include:

- *Infrastructure* - Legal and IT teams may not possess the budget nor the expertise required to support an enterprise-class discovery deployment.
- *Headcount* - An in-house discovery solution requires a commitment of full-time employees that have a proven blend of skills in both the technical IT and security arena, as well as the field of law. Specialized employees hired to support peak litigation volume must often be retained even when litigation volume subsides.
- *Operational Risk* - In handling discovery in-house, law firms and corporations take on the inherent risks associated with collecting, processing, and reviewing data. In-house resources may also lack the experience and skill to appropriately respond to testimony or depositions.

NightOwl's Discovery Management Programs

As a leader in corporate discovery for over 28 years, NightOwl knows this complex high-stakes arena better than anyone. Our end-to-end discovery services combine the most advanced technology and proven processes with support from our attorneys and certified eDiscovery specialists. We have deep experience working with our clients to maximize their spend and increase the value of the programs. We know how to manage a portfolio of discovery work, we've been doing it for years. Work with us on a project-by-project basis or maximize the value of our services with a discovery management program built around your needs, processes, and long-term goals.

Taking Control

Our discovery management programs are designed to deliver world-class technology tools together with dedicated and experienced discovery professionals. NightOwl's discovery management programs are hosted in NightOwl's private cloud, and we work with our clients to create a customized solution to meet our clients' needs. Many of the

programs include data collection, processing, hosting, users, productions, and analytics. NightOwl combines the best products in the industry, including the Relativity hosted review platform with NightOwl's renowned legal project team, to deliver a seamless discovery experience.

NightOwl is turning the traditional industry pricing model upside down. Discovery management promotes price predictability and utilizes economies of scale to provide maximum value. NightOwl is simply applying the principles of economy of scale to the discovery industry – a long-overdue improvement to the business as usual approach of charging per GB or per document. With NightOwl's discovery management programs, you keep complete control of your matters. NightOwl has dedicated project management teams assigned to each discovery management client. We can take care of all aspects of managing your matters. For clients that want even more control, NightOwl offers complete administrative access to all of your cases. You can create user permissions, add fields and coding layouts, batch documents. It is all available to you, and with the support of NightOwl's team of legal project managers, you will be able to concentrate on assisting your legal teams and not wrestling with software.





NightOwl Discovery Management vs. Project-Based Discovery

Project-based discovery, the typical method of engagement for many years, is fast becoming an obsolete model. High project costs and lack of consistency across matters makes this approach inefficient at best and indefensible at worst. It is also the costliest way of conducting eDiscovery. Discovery management solutions, on the other hand, provide a consistent approach to process and technology, combined with the expertise necessary to manage either component parts or all the discovery cycle. Imagine solutions that are repeatable, defensible, collaborative, and cost predictable. All delivered by a specific, expert team who are intimately familiar with your data and your needs.

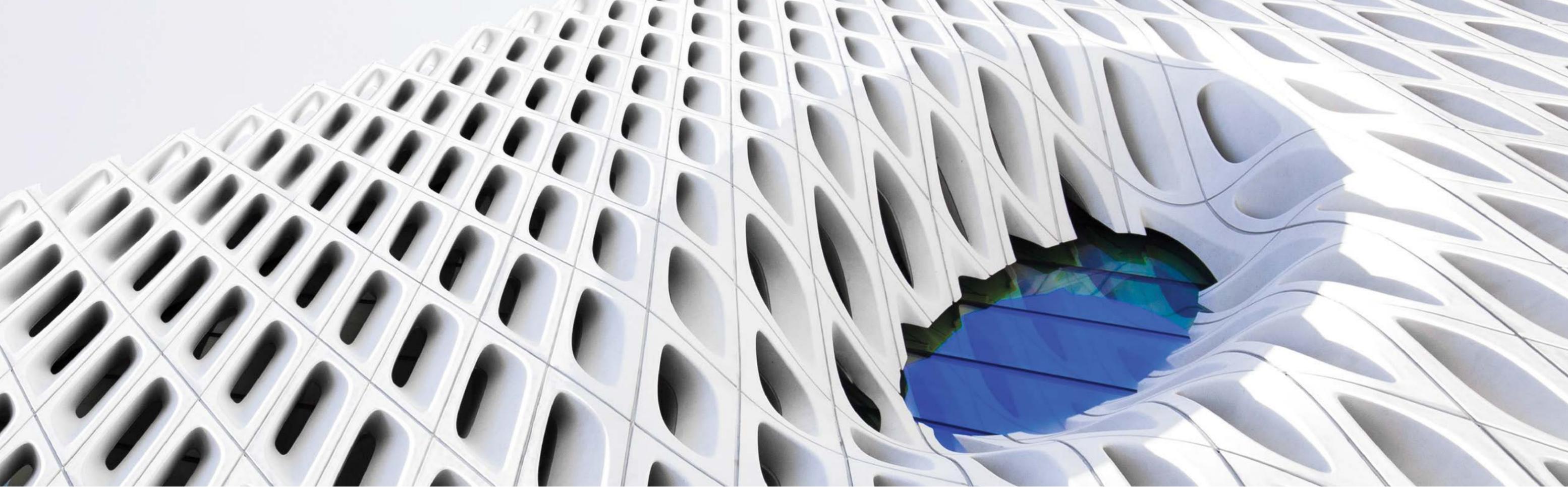
Effective discovery management programs are where NightOwl excels. We have built our foundation on a growing portfolio of direct corporate and law firm discovery management solutions for mid-size to Fortune 500 companies and Am Law 200 law firms, working seamlessly with our client's legal teams. We have spent the past 28 plus years gaining knowledge and expertise in the areas of forensics, legal hold, collections, processing, hosting, analytics, review, and production.

NightOwl has made and continues to make critical investments in education, research, and technology to ensure corporate legal departments and law firms have the best tools, resources, and staff available. We pride ourselves in thought leadership and ensuring that our knowledge of best practices within the industry is being followed.

Each client relationship is built to last through multiple matters large and small. We can customize our solutions to each client's specific needs, from legal holds to early case assessment (or 'ECA'), predictive coding, review, and productions. NightOwl works to create the right program for your organization and supports it with a team that understands your unique needs.

Advantages to NightOwl's Discovery Management Programs

- *No Additional Capital Outlay* - Eliminates the need to build-out costly network and security infrastructure, as well as hire full-time eDiscovery experts.
- *Flexible Technology* - NightOwl is always vetting the newest and best applications for your discovery needs. No need to be overcommitted to a long-term solution in a market that is rapidly evolving. Gain access to multiple platforms and the flexibility to use the ones right for your matters.
- *Zero Headcount Overhead* - Removes the need to hire full-time professionals to manage discovery which are often under-utilized.
- *Ongoing Cost Savings* - NightOwl assists in showing significant cost savings through the engagement of a discovery management program.
- *Cost Predictability* - NightOwl's discovery management programs leverage economies of scale by spreading out costs consistently over the term of an engagement.
- *Leverage Best Practices* - NightOwl provides discovery best practices consulting to help minimize risk and streamline cost savings.
- *Scalable* - NightOwl has created a technology and human resource infrastructure to meet all of our clients' demands as they grow. We are built to manage any size of client or matter.
- *Avoiding Technology Obsolescence* - NightOwl is constantly investing in the newest, most effective technologies so that you don't get stuck with an outdated system.



nVision®

The Future of eDiscovery

With nVision managed services, NightOwl turns discovery into a predictable business process. Our monthly subscription consists of many services, including processing, hosting, user support, project management, analytics, and more essential services—with no upfront costs for hardware or software. We will work with your legal team to identify your discovery needs and then create a discovery management program that works best for your company. We give you access to a Relativity environment that's preconfigured and ready for use. You can control user groups, workspaces, coding forms, review batches and security or we can do it for you. Each subscription is customized, and costs are tiered based on your needs.

Technology

NightOwl employs leading industry tools for legal hold, collection, processing, analytics, and review. These tools have been field-tested in thousands of litigation matters. EnCase, Nuix, Brainspace, and Relativity are but a few of the tools that NightOwl provides to our clients and has deep experience managing and operating.

Your NightOwl Project Team

NightOwl's team of legal project managers are all licensed attorneys, Certified E-Discovery Specialists (CEDS), and Relativity Certified Administrators. Each nVision® client is assigned a primary Senior Portfolio Manager to serve as a single point of contact for all assignments. Each Senior Portfolio Manager has ongoing security and infrastructure training and follows strict SOC2 protocols, following strict security and evidence handling procedures. Our project teams get to know you, your company, your culture, and your matters. We make a significant upfront investment in learning all about your needs. As our team gets to know you and your outside counsel, we truly become an extension of your eDiscovery team. We begin to anticipate your needs and can offer solutions that will create incredible value.

Billing Flexibility

NightOwl understands the challenges faced by companies and law firms in allocating legal expenses across matters, departments, and divisions. Therefore, NightOwl has pioneered the nVision® Flex Billing approach. With nVision Flex Billing, our customers have the option to create monthly billing statements to match program utilization by specific business units and/or matters. We will work with you to understand how you need to manage cost recovery and create the solution that best matches your needs.

nTerprise®

Managed Services to Maximize Your Investments

Customers that have frequent discovery needs and desire the maximum return on discovery investments turn to NightOwl for our nTerprise managed services solution. Managed services solutions allow corporations the best of both worlds: low total cost of ownership for technology, coupled with NightOwl's expert staff, defensible methodologies, and technology management. nTerprise® customers invest in discovery technologies, and NightOwl implements and maintains the systems in our state-of-the-art data center or behind the corporate firewall. NightOwl helps clients maximize the capabilities of their technology investment while managing the eDiscovery process.

Our nTerprise solution can either be applied to existing corporate discovery technology investments or to new technology deployments created in collaboration with NightOwl's discovery management team.

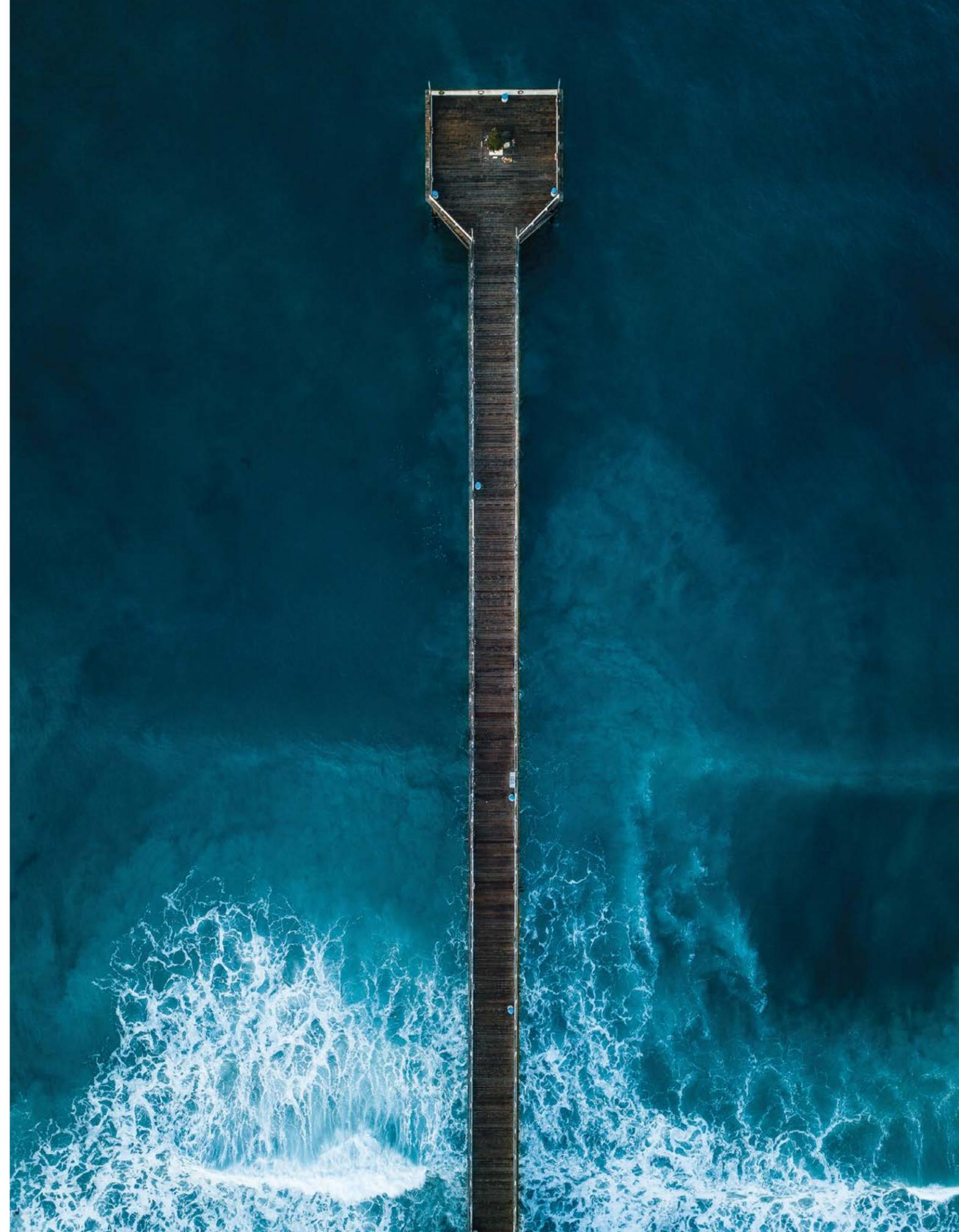
NightOwl is an authorized managed service partner for Clearwell, Relativity, EnCase, Nuix, Brainspace, and Exterro. No matter which platform is right for you, NightOwl nTerprise provides a seamless end-to-end eDiscovery management solution designed to maximize your investment.

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Key Benefits of the nTerprise® Solution

- *Financial Savings* - Companies that are involved in frequent and long-term matters will benefit over time by purchasing their own discovery technology to be managed by NightOwl.
- *Zero Headcount Overhead* - nTerprise eliminates the need to hire and train full-time professionals to manage the discovery process. This can be a costly and time-consuming endeavor. We can hit the ground running and have discovery experts that are fully trained and available to you immediately.
- *Cost Predictability* - Our programs are based on a subscription model, which allows the costs to be spread out over the life of the relationship. Monthly costs are predictable and only vary as additional services are added.
- *Leverage Best Practices* - NightOwl invests heavily in ensuring our processes and procedures align with industry best practices. NightOwl is SOC2 certified, the gold standard for organizational controls.
- *Expert Team* - NightOwl has over 28 years of experience in the industry with one of the most tenured teams available. All of our client services team members are CEDS certified and are Relativity Certified Administrators. Our teams are what make NightOwl so special. We have deep experience in all areas across the EDRM.



Discovery Technologies

NightOwl employs a technology-agnostic approach to our service and support offerings. Instead of focusing on a single suite, NightOwl is constantly researching and evaluating discovery technologies to offer our clients the very best of breed solutions for each specialization across the EDRM model.

Relativity®

NightOwl is a proud partner and provider of the Relativity platform, the most widely used discovery software in existence. Relativity is used by more than 13,000 organizations, with 165,000 active users in over 40 countries. Relativity is the preferred discovery platform for the U.S. Department of Justice, more than 75 of the Fortune 100 companies, and every Am Law 200 firm.

Relativity provides end-to-end discovery solutions, starting with the Legal Hold module which provides template libraries of legal hold notices and correspondences. It allows users to quickly create customized custodian questionnaires so relevant information to your

case can be gathered quickly while automating communications, escalations, and compliance. Relativity's ECA and Investigation module allows users to quickly gather and analyze information to assess the size of cases, predict costs, and defensibly exclude non-relevant data to reduce downstream volumes. Relativity's Review and Production module is the most comprehensive document review tool on the market. New users can fully grasp all of the functionality needed to be productive in as little as ten minutes of training. Relativity's automation and scalability allow for the largest of data sets to be reviewed and produced in the shortest of deadlines. Relativity's Analytics and Assisted Review modules allow users to apply cutting edge artificial intelligence technology and workflows to reduce data sets, and provide visualizations on data patterns, as well as organize and prioritize document review. Best of all, Relativity was built as an open platform, so NightOwl can provide custom functionality to our clients to meet their unique needs.

NightOwl has been an Authorized Relativity Partner since 2010 and has received the Best in Service distinction every year since 2013. NightOwl has been named a finalist for the Best Service Provider Solution at their Innovation Award ceremonies in 2015 for our MissionControl® application, in 2016 for our nSight® client portal, and again in 2017 for our DecisionCenter® application.



Nuix®

NightOwl is a proud partner and provider of the Nuix platform. Nuix collects massive amounts of data from enterprise storage systems, mobile devices, and cloud sources. Nuix processes this data into a searchable and reviewable format at a speed and reliability rate unmatched in the marketplace. The Nuix parallel processing technology can be scaled to index and search a near unlimited volume of data while handling complex file formats and storage types that other tools simply cannot. In addition to being an elite discovery processing tool, Nuix also excels at data identification by employing complex data pattern recognition algorithms. This allows users to identify communication patterns among people, organizations, locations, and events, as well as identifying data likely relevant to data privacy concerns. These attributes allow the Nuix platform to be deployed not only in investigation and discovery needs, but also for risk, data privacy, and GDPR readiness assessments.

Brainspace®

NightOwl is a proud partner and provider of the Brainspace platform. Brainspace provides a combination of artificial intelligence machine learning with intuitive visualizations and user interface to provide the most powerful investigative tool on the market. Brainspace applies a visual approach to textual analytic features such as concept search, document clustering, communication analysis, and technology-assisted review. This provides unparalleled early insight into data sets and the ability to rapidly determine what is relevant. Brainspace allows users to drastically increase productivity while greatly increasing precision. The Brainspace platform was built to integrate with all of the industry's most common platforms including Nuix and Relativity.

Exterro®

NightOwl is a proud partner and provider of Exterro and the Exterro Orchestrated E-Discovery platform. The Exterro Orchestrated E-Discovery suite provides a unified discovery solution, seamlessly covering all phases of the EDRM through a single easy to use interface. Exterro Legal Hold integrates with most HR systems, matter management, and asset management systems to streamline the legal hold process and ensure user access to correct and up-to-date information. Exterro Legal Hold leverages template libraries of legal hold notices, custodian questionnaires, and data maps to create simplified and defensible legal hold management. Exterro's E-Discovery Data Management (EDDM) module is the industry's only platform that can identify matter relevant data before the time of collection and combines the collection and data processing into a single operation. EDDM allows users to apply analytic and predictive intelligence pre-collection to uncover and promote only relevant documents and communications to review. Exterro's Gateway

Coordinator supports a growing list of over 30 on-premises and cloud-based data sources, eliminating the need to perform multiple data collections from various sources. Once collected, Exterro's Data Vault empowers users, reduces risk, and optimizes operations through cross matter analytics and data re-use. Exterro Data Vault allows for one-click repurposing of data across matters and can carry attorney decisions across matters to ensure documents deemed "confidential" or "privileged" remain that way.

The Exterro platform ensures the shortest time possible to review. Documents can be simultaneously collected and processed from multiple data sources and seamlessly moved into review as data becomes available, without delays, handoffs, and error-prone promotion procedures.

Exterro Review features a simple, intuitive interface that requires minimal training before document reviewers are productive. Exterro Production automates the entire production process, including imaging creation, branding, redaction application, and load file creation into a single step, eliminating human intervention and error-prone activity.

Veritone®

NightOwl is a proud partner and provider of Veritone. The Veritone platform allows for integrated viewing, transcription, translation, and redaction of audio and video directly within the Relativity platform. Veritone renders every second and frame of audio and video content and classifies entities such as faces, objects, phrases, and sentiment. Once transcribed, audio and video can easily be keyword searched and the Veritone media player allows for easy navigation of even the longest of multimedia files. Document reviewers can now simply redact audio and video transcripts, and Veritone synchronizes the redaction to the audio/video file. Veritone extends the discovery process beyond the borders of text.





The art and science of data intelligence

Our team of high-performance, high-touch experts leverage dynamic programs and advanced technologies to design custom integrated solutions that make data discovery smarter, faster and more cost-effective.

INTELLIGENT REVIEW

Managing Complex Document Review

Document review can represent the greatest commitment of time and money in disputes, investigations, and regulatory reviews. This is largely due to the overwhelming volume of electronic data included in disclosure today.

The use of lawyers specifically trained and deployed for document review can significantly reduce document review costs. Add the use of advanced analytics and technology-assisted review and the process of document review can be made extremely cost-effective and streamlined while also presenting the gold standard of defensibility. The marriage of innovative technologies and professional review staff requires a solution provider with the skill and experience of NightOwl.

NightOwl offers comprehensive legal document review services in support of FCPA investigations, privacy, litigation, audits, and compliance matters. At the heart of our service are trained teams of legal reviewers that use the latest analytic technologies and our streamlined review process to perform document reviews. Typically, we are reviewing for relevance, privilege, and key documents, as well as coding each relevant document for central case issues developed by the legal team during project initiation. Our clients and their legal teams remain in complete control of the direction of the review efforts while we handle all of the details of the review process. The result is an efficient and economical solution for handling the review of large volumes of information.

NightOwl has years of experience developing proven workflows, quality control systems, metrics, efficiency standards, and reporting capabilities - factors that are critical when selecting a review management partner. NightOwl is proud to be a leader in the industry and has many happy clients to prove it.

Advantages of NightOwl's Intelligent Review

- Expert legal review managers
- Trained teams of legal reviewers
- Fully equipped, secure, professional review facility
- Analytics and Technology Assisted Review (TAR) initiation, assessment, and managed deployment
- Next-generation review tools, including translation and audio capability
- Scientific partnerships with experts in linguistics, statistics, and legal strategy



Analytics and Technology Assisted Review (TAR)

The use of analytics and TAR is gaining increasing attention and use in the legal industry as digital data volumes continue to grow exponentially. NightOwl is here to help you analyze and leverage the massive amounts of data legal teams need to evaluate during Early Data Assessment (EDA), investigations, and litigation. NightOwl offers and has a team of certified attorney analysts that support Relativity Analytics, Relativity Assisted Review, and Brainspace. Using these tools intelligently, and in combination with other document review and searching workflows, leads to increased efficiency and accuracy, which translates into reduced legal spend. NightOwl is here every step of the way to educate and guide your legal team to turn big data from a liability into a strength.

Analytics Technologies Available

Structured Analytics

Structured analytics tools analyze text to identify the similarities and differences between the text of documents in a data set. Structured analytics takes considers word order, enables the grouping of documents that have similar content (but are not necessarily conceptually similar), considers the placement of words, and looks to see if new changes or words were added to a document. The main structured analytics tools are email threading and textual near-duplicate identification. Email threading determines the relationship between email messages by grouping related items together; identifies inclusive emails, which contain the most complete prior message content and allows you to bypass

redundant content; and applies email visualization. Textual near-duplicate identification identifies documents that are textual near-duplicates based on the similarity among the characters in the extracted text (and not conceptual similarity).

Conceptual Analytics

Conceptual analytics uses sophisticated mathematics to find term correlations and conceptuality within your unique data set. It does not use outside word lists, such as dictionaries or thesauri, and is language agnostic. Rather, the language, concepts, and relationships are defined entirely by the contents of your data set and “learned” by the analytics index. Conceptual analytics, therefore, can see documents holistically, and, instead of focusing on the presence of a specific set of terms, conceptual analytics searching finds matches based on concepts and context, even in the presence of intentional obfuscation, typos, or other pitfalls common to language searching. Conceptual analytics tools include clustering, categorization, keyword expansion, concept searching, and similar document detection.

Clustering is used to identify and group conceptually similar documents without any user input and can be run across client documents or incoming productions from opposing parties. The results can be used by the case team to understand the contents of a set of documents better during early case assessment, to organize and prioritize documents for review in batches of similar content, or to eliminate junk clusters from review.

In matters where the case team already has a sufficiently thorough understanding of the issues involved, has identified example documents for each issue, and has a set of data they want to categorize quickly without further user input, categorization can identify and group conceptually similar documents into issue buckets pre-determined by the case team. The results can be used to organize or prioritize review by category or to kick off a TAR project.

Keyword expansion is a tool to check the completeness of a keyword list before agreeing to any keyword search terms. Keyword expansion takes the initial list of keywords and returns a list of conceptually related terms. The output is based solely on the language of the client’s data. It can help the case team gain a better understanding of the terms within the data set and to identify other conceptually related terms and words that the case team did not expect. The case team may opt to add some of these results to its keyword search list.

Concept searching is used to find information without a precisely phrased query. During early case assessment or in preparation for deposition or trial, the case team can use concept searching to find conceptually similar documents to individual paragraphs in a complaint or other pleading, hot documents, critical deposition testimony, or key language from an expert report. The case team can use the results to quickly locate conceptually similar documents within the data set that may bolster or hurt the case.

Lastly, the case team can use similar document detection for “on-the-fly” analysis. When a member of the case team identifies a key document to the case, they can right-click on the document and quickly pull back other documents that are conceptually similar to aid in their review and preparation for deposition or trial.

Key Benefits of Utilizing Analytics

- Cost savings
- Improved coding consistency and speed
- Intelligent review batch organization and creation
- Quality control, especially for identifying inconsistent coding for privilege and redactions
- Increased efficiency in:
 - » Reviewing documents
 - » Searching for key documents and preparing for depositions and trials using visual communication analysis to quickly see who is talking to who, about what, and when
 - » Using timeline visualization across your documents to quickly identify gaps or deficiencies in a data collection or incoming production

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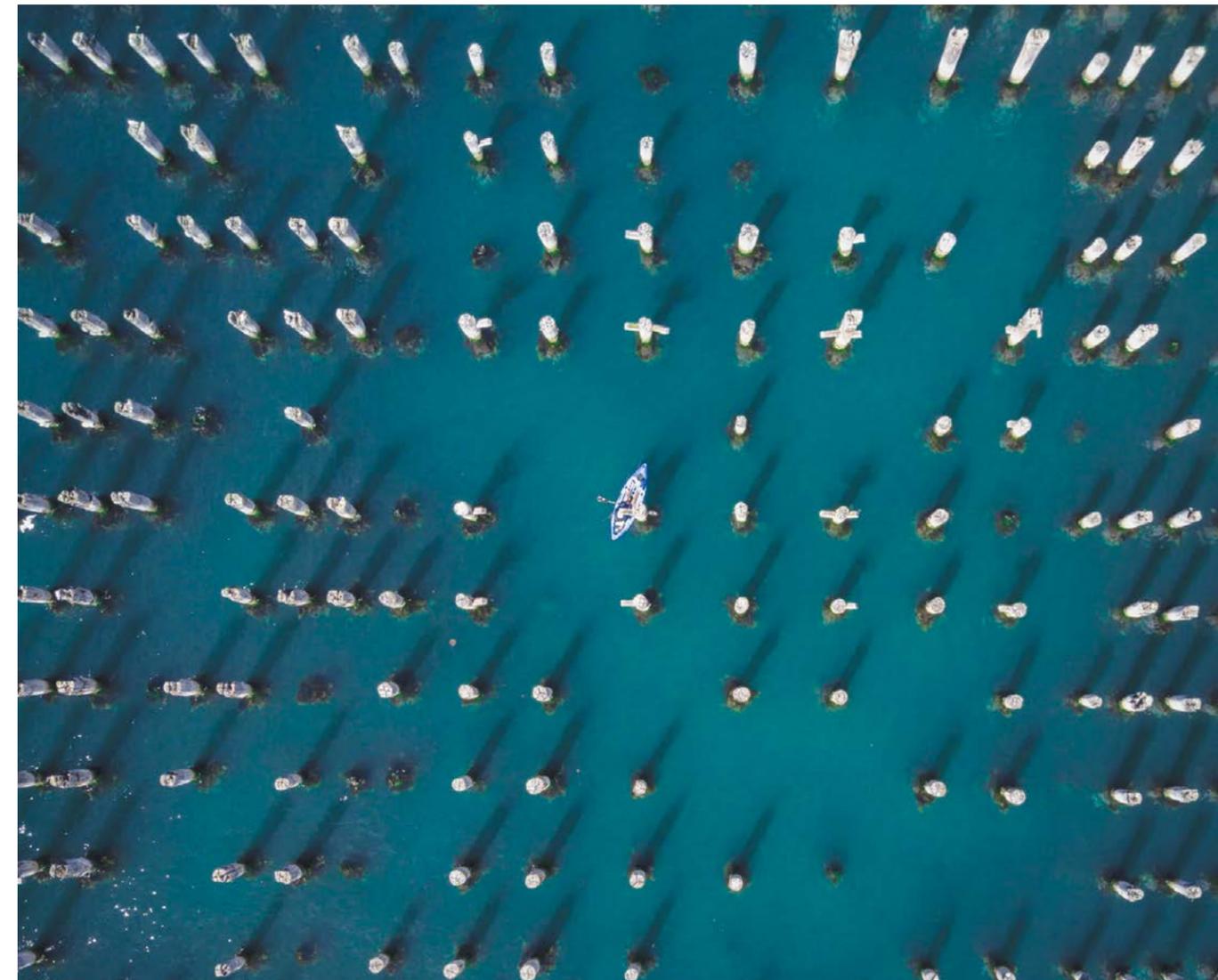
Predictive Coding and TAR

Technology Assisted Review or TAR (also called predictive coding, computer-assisted review, or supervised machine learning) is an iterative and interactive process through which a human reviews and codes documents as “relevant” or “non-relevant.” A computer algorithm – a series of instructions or rules given to a computer – then takes that human input and uses it to draw inferences about unreviewed documents in the same data set. Ultimately, the algorithm categorizes each document in the data set as relevant or non-relevant or ranks them in order of likely relevance.

NightOwl has spent the past several years gaining deep experience with TAR and generating best-practices that combine TAR, analytics, and well-trained legal review teams to help clients maximize cost-savings while achieving highly accurate and defensible results. Relativity Assisted Review and Brainspace are integrated, flexible, and transparent platforms for TAR. Both are fully integrated within our Relativity review platform and provide the choice to use either a TAR 1.0 or TAR 2.0 workflow based on the needs of the individual matter.

Key Benefits of Utilizing TAR

- In addition to using TAR for relevance, it can also be used to categorize documents by issues, confidentiality, or hot documents
- Gain understanding and insight into the ESI collection and help better assist with the development of legal strategy during EDA or investigations
- Use for information governance to identify, preserve and/or dispose of data that maybe, or has been, leveraged for discovery
- For the review of incoming and outgoing productions, a review team can limit the review after finding a sufficient number of relevant documents or can conduct a prioritized review in which relevant documents are reviewed first and documents categorized as non-relevant documents are reviewed last, not at all, or by lower-cost review teams
- Use for quality control and quality assurance during document review to assess the team’s understanding of the review protocol and review accuracy, as a quality assurance checkpoint after the first-pass review or before production, and as a complement to other privilege screens



An aerial photograph of a blue inflatable raft filled with several people, navigating through turbulent white-water rapids in a river. The water is dark and churning, with large rocks visible in the foreground and background. The raft is positioned in the lower right quadrant of the frame, moving towards the upper right.

It's personal

With a combined 50 years of leadership from across the data discovery industry, NightOwl knows this complex landscape better than anyone. We understand what works for your business and what doesn't. We are passionate partners, never forgetting that we're in this together.

INFORMATION GOVERNANCE

Managing Complex Information

For most organizations, large and small, the challenge of effectively managing information can be daunting. This is largely due to the exponential growth in both the complexity and volume of information which modern organizations create.

Challenges include:

- Too much legacy data
- Multiple metadata formats
- Ineffective enterprise search
- Extensive duplication of data
- Unmanaged unstructured data
- Multiple content storage systems
- Storage capacity reaching its limits
- Inability to identify data for litigation holds
- Protecting sensitive data against loss or theft
- Compliance with data privacy, protection laws and regulations

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In addition to the practical challenges in managing information, it can often be the source of or contain evidence of business risks, such as breaches of IT security, computer misuse, data theft or loss, and contract and competition law issues.

Organizations with a good information governance strategy will derive more value from their information assets. Those lacking effective governance may experience higher costs, increased risks, and declining customer satisfaction.

An effective information governance program focuses on creating and maintaining sound business processes behind the data.

Taking Control

NightOwl can help you get the most from your data and significantly reduce the risks associated with it.

We bring our experience and learnings from managing large data sets through complex discovery and incident management projects to bear when developing strategic information management programs for our clients. Whether it is a pro-active email review or managing large volumes of unstructured data through a migration in support of a merger or acquisition, we bring the latest technology coupled with our expertise and experience to assist our clients with actively managing their data.

Policy and Procedure Development

Often the first question asked by our clients is how we recommend they identify and manage the vast volumes of historical data which they have accumulated. In our experience, this should be phase two of any information governance project. Given that, in the next two years, your organization is likely to create over twice the amount of historical information you currently hold, the real question to ask is what you are going to do from now on.

Our approach to information governance starts with dealing with the here and now, and the future. Once that is in order, we find that it is much easier to deal with the past. Organizations that establish processes and procedures for dealing with current and future data can, often easily, fit their historical data into the same processes and procedures, whilst not building up more current data at the same time as struggling to manage historical data.

NightOwl can start with a detailed analysis of an organization's current state of records and information management, establish a desired future state, identify gaps, and work with you to establish a phased approach to implement enhancements and improvements to reach that desired future state.

As part of this we can:

- Establish your strategy
- Develop your roadmap
- Develop information classification policies and procedures
- Develop information management policies and procedures
- Provide strategies for the management of unstructured content

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Data Mapping

An essential first step in discovery is the identification of potential sources of relevant data required for disclosure and the strategic development of a discovery plan. Understanding where your key information assets reside and how they are protected is also a vital first step in defending against and responding to cyber-attacks.

A data topology map identifies all electronically stored information (ESI) in a legally defensible manner and identifies policies and practices associated with ESI. Having this information readily available provides you with a defensible strategic advantage when faced with litigation.

NightOwl consultants will develop an action report on your organization's physical IT systems, operational protocols, policies, and practices that govern the creation, storage, archiving, and destruction of ESI.

The data map begins by gathering information on business practices and systems. Through interviews with relevant personnel, review of system architecture, and document retention policies and protocols, an overall view of the enterprise policies and practices is established.

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Outputs can include:

- Descriptions of ESI storage locations
- Descriptions of primary applications
- Graphical depiction of the enterprise
- Strategic recommendations for improvement
- Descriptions of operational protocols for back up, record retention, and document management

Organizations that know where their data resides and how to access it has a significant advantage when responding to a document request or a cyber-attack. It allows preservation to be completed quickly and provides the legal team with information required to negotiate the scope of any disclosure. This can significantly reduce the risk of losing pertinent data, in addition to understanding at an early stage what formats of data are available for the eventual production.

Intelligent Data Migration and Disposition

Once you know, at a high-level, where your different information assets reside and how you want to manage it going forward, the next step can often be to take a deeper look at what you have.

Organizations have been stockpiling unstructured data for decades. Massive user shared storage servers, archive drives, and legacy backup tapes all contain many copies of files and aged data that no longer has any business value.

With an increasing emphasis on data management as a business process, companies are consolidating their information into central repositories for ease of reference, search, and retrieval. Besides, organizations are recognizing the need to treat data for discovery as an enterprise-wide information management issue. A centralized interface across enterprise information is critical to taking control of your data.

NightOwl's intelligent data migration and disposition services help you manage the long term liability of this content and facilitate corporate awareness of legacy data for archiving or deletion according to policy. Our proactive approach systematically disposes of what has no business value before it can be exposed, misinterpreted, or breached. At the same time, sensitive documents that have business value are secured according to compliance requirements.

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NightOwl can assist you by:

- Identifying and migrating specific sensitive data types in support of legal and regulatory processes
- Creating a defensible data migration and disposition plan
- Cataloging and identifying archived electronic and hard copy documents from disparate sources and assist with the subsequent preservation or disposal ('defensible destruction') of archived information in accordance with retention policies and practices
- Using technology to assess large volumes of information (such as data types, age, and Personally Identifiable Information or 'PII') and then take actions based on business requirements (such as archiving all data more than two years old or defensible deletion)



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A simple example would be to identify all of the PII in your unstructured data sets and migrate them to a secure location where they can be retained or destroyed.

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- Identify legacy data (i.e., stored data with no business value)
- If required, migrate legacy data to NightOwl's secure, private cloud storage
- Deduplicate, index, and categorize unstructured data
- Provide secure access to the legacy data for search and analysis
- Identify documents with business, compliance or discovery value
- Dispose of documents with no continuing business value or legal obligation to preserve

Organizing your data archives and engaging in comprehensive data reduction reduces risk, time, and expense. It also lets you take control of and secure valuable intellectual property. More importantly, as discovery evolves into a business process, the art of migrating data is transforming the entire enterprise, streamlining operations, and reducing operating costs.

To accelerate that transformation, the NightOwl data migration and disposition team will help your organization identify where improvements are necessary, how to make them, implement a defensible data reduction plan, and provide you with metrics needed to gauge the success of the initiative.

Data-Driven Compliance Assessments

Data, particularly unstructured data, such as email, can be the source of or contain evidence of business risk.

This can include evidence of:

- Bribery and corruption
- Breaches of competition law
- Identification of legal documents, such as contracts
- Duplication of data sets throughout multiple storage locations
- Deliberate theft or accidental transmission (without encryption) of sensitive data or intellectual property
- Breaches of IT security, including the transmission of malicious code, phishing and spear-phishing attacks, and inadequate use of encryption policies
- Inappropriate use of IT systems, including bullying and harassment

Organizations can help to significantly mitigate the risks of such issues becoming major incidents through the use of pro-active data-driven compliance assessments of their unstructured and structured data.

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Typical projects include:

- Identification of business risks which may be stored within an organization's data
- Mapping those risks to the data sets available
- Developing tests to identify evidence of risks in the data set (e.g. searching all email attachments for social security number patterns)
- Acquiring a copy of the data sets for processing, or processing the data sets in place
- Once processed into a searchable format, detailed statistics are gathered regarding the data
- Applying the tests and quality checking the results
- Reporting on our findings, including recommendations for improvement

Let us help you identify the risks in your data before they become a major incident for your business. NightOwl has extensive experience performing compliance assessments and uncovering the risk and value from large volumes of business data.



Inspire greater

NightOwl helps global organizations navigate the challenging landscape of enterprise data for legal, security, and compliance teams. Through customized solutions our experts help inspire and empower our clients to be even greater business partners for their organizations.



NightOwl Global

NightOwl Global helps organizations worldwide to navigate the challenging landscape of enterprise data for legal, security, and compliance teams. NightOwl differentiates itself by offering proprietary tools, turn-key managed services and data portfolio management combined with industry-leading third-party software. These tools streamline workflow and display key data, allowing in-house legal teams and outside counsel insight into the information that matters most. Reporting tools show measurable results and provide teams with data that drives the decision-making process. The combination of NightOwl's unique and customizable technology solutions and its expert global consultancy solve the challenging issues that come from managing complex data portfolios. Whether responding to litigation, handling an investigation, or building predictable programs that reduce risk and improve compliance, NightOwl's tremendous value proposition makes it the industry partner of choice. *Inspire greater.*



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