

How Symantec Can Help Organizations Save up to \$6 Million

Archiving and eDiscovery: Real World ROI from Soft Cost Savings

Who should read this paper

This white paper is intended for a broad business and technical audience who is trying to understand what are the business benefits from implementing an archiving and eDiscovery solution. There are 15 different business benefits listed based on studies and interviews with Symantec archiving and eDiscovery customers.

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Executive summary

As with any enterprise application, prospective customers of Symantec Enterprise Vault™ are often asked to create detailed business cases to justify the selection, purchase, and implementation of an enterprise archiving solution. This white paper is designed to help customers with this process by sharing the business benefits thousands of organizations have already experienced by implementing Enterprise Vault. As one research study put it, "We will say, however, that almost all the buyers we spoke to were quite clear in their belief that enterprise archiving and management had either paid for itself (usually quite quickly) or better, delivered a strong ROI."²

This white paper will review 15 separate soft cost saving benefits that customers have experienced, with over 30 citations to independent third-party analyst reports to provide independent validation of those benefits. Finally, there are a number of direct customer quotations based on their real world experiences. For those considering implementing an archiving and eDiscovery solution, this white paper should be very helpful.

Search benefits

As Enterprise Vault has the ability to full-text index nearly 500 file types as content is ingested, there are a number of key benefits that result both for end users and core users of Compliance and Discovery Accelerator.

End user search productivity gains

From an end user perspective, the Enterprise Vault search functionality empowers users to rapidly and easily find archived content using a number of provided utilities, such as Advanced Search. In one Business Value Analysis (BVA), Alchemy Solutions Group documented several million dollars of end user productivity gains from finding items in seconds vs. hours when using Microsoft Outlook® native searching.³ Another firm, ECI Telecom, reported nearly \$1.5 million in productivity gains because Enterprise Vault allows end users to manage their mailboxes more efficiently.⁴

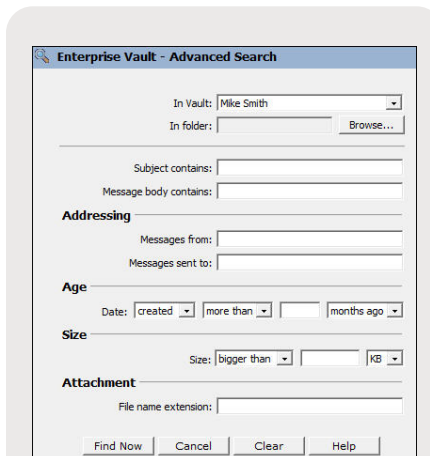


Figure 1. Enterprise Vault Advanced Search

Early case assessment

Both the Discovery Accelerator module of Enterprise Vault and Clearwell eDiscovery Platform™ offer inside counsel and compliance officers the ability to perform an early case assessment when a new matter presents itself. The law firm of Duane Morris has found great success in

"Companies reduced their email archives by 30 percent to 60 percent, saving on average more than \$123,000 each year. For unstructured data, these firms saved an average of more than \$700,000 annually."¹

- Alchemy Solutions Group

Enterprise Vault: Industry leading archiving and eDiscovery solution for proactive information governance.

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www.enterprisevault.com

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1-Alchemy Solutions Group, "Business Value Analysis-Market Research Report: Archiving and eDiscovery", page 4.

2-CMS Watch, "The email Archiving and Management Report 2008", page 4.

3-Alchemy Solutions Group, "Mitel Business Value Analysis", November, page 16.

4-Alchemy Solutions Group, "ECI Telecom Business Value Analysis", page 15. Consider also Memorial Health Systems, which, according to one analysis, reaped \$589,878 in end user productivity improvement. See Alchemy solutions Group, "Memorial Health System Business Value Analysis", page 12.

using the Clearwell eDiscovery Platform to perform early case assessment, even for small matters. Not only did they find processing times to be four times faster than competitive products, but it was not unusual to cull a data set with 139,000 items down to 1,200 in less than two hours.⁵ As an added benefit, early case assessment has become tremendously valuable as a byproduct of bringing information governance, data collection, culling, and processing in-house. Now in-house legal departments have greater insight into the issues and the data they are collecting, enabling them to determine at a very early stage what the legal issues are and if retaining outside counsel is even necessary.

Strategic search capability

Similarly, how do you place a value on the following event which actually occurred for one of our customers? Having fully deployed Enterprise Vault, the organization was involved in a dispute with a dissident shareholder. The CEO approached the CIO with a suspicion that one of the internal executives was in collusion with the dissident shareholder; armed with the personal email address, the IT organization was able to search through 90 million archived emails in Enterprise Vault in less than one hour. They were able to find 30 emails proving that the internal executive was leaking sensitive information to the dissident shareholder.

Another example: tuberculosis patient Andrew Speaker, in Fulton County, Georgia claimed that he had never been told by doctors that he couldn't travel. Fulton County was able to rapidly respond to a potentially embarrassing public records Freedom of Information Act request from *The Atlanta Journal Constitution*. According to Rich Diller, email administrator for Fulton County, "All I basically had to do was say I want any emails retrieved for me that involved the name Andrew Speaker...had the software not been available, the search would have been your proverbial nightmare. It would have been me opening up individual mailboxes and constructing one-off searches on each mailbox and compiling all the data."⁷

Consider also the real world experiences of Somerfield Stores, a U.K. based grocery chain. At Somerfield Stores, email is regularly mined for information used to reclaim money owed, negotiate better pricing and finalize deals. Somerfield Stores implemented Enterprise Vault and was able to realize not only a 30 percent storage requirements reduction, but massive gains in efficiency across the base of users searching and finding emails within the archive that contained actionable business information.

"We knew Clearwell was a popular choice for handling large document volume cases, but we wanted to see if it would provide benefits for cases with smaller or medium-sized eDiscovery. After bringing the Clearwell eDiscovery Platform in-house for testing, we've used it on dozens of cases, and have since standardized on the platform for small and medium-sized eDiscovery requests."

– Laura Bandrowsky, practice support director at Duane Morris ⁶

"By far the greatest benefit of Enterprise Vault has been the ability to search and discover the truth. And nine times out of ten, this resides in the corporate email system. Enterprise Vault has helped us take a large, unmanaged mass of data and turn it into a corporate asset."

- Colin Clark, head of corporate business control, Somerfield Stores⁸

⁵-Symantec/Clearwell Systems, "Duane Morris Case Study", page 2.
⁶-Symantec/Clearwell Systems, "Duane Morris Case Study", page 1.
⁷-http://www.pcworld.com/article/134292/case_of_tb_traveler_shows_worth_of_good_email_archives.html
⁸-Somerfield Stores Customer Success Story, page 3.

The company was able to retrieve £660,000 (US \$1,320,000) in unpaid supplier invoices. Over the course of five years, Somerfield Stores estimated its total revenue recovery at \$30M, and 100 percent ROI was delivered in four months.⁹

IT operational benefits

Risk reduction from enabling expiry of data

Because Enterprise Vault has the ability to automatically expire archived content that is older than its defined retention (absent a legal hold), customers can benefit from significant risk reduction. Absent such automated expiry, emails, and other content are very likely kept indefinitely and are subject to discovery, to the potential detriment of the organization. In particular, we know of one organization that effectively allowed employees to use their email system as a document management system with infinite retention; as a result, they lost two major lawsuits totaling \$20 million in legal fees, damages, and lost business reputation due to so called "smoking gun" emails that had no business, legal, or regulatory reason to be retained prior to the lawsuit.

Productivity gains from automatic expiry

Throughout this white paper, we have noted a number of benefits from automated expiry alone. Another soft benefit worth noting is the converse: if an organization does not have a tool like Enterprise Vault performing expiry automatically (while enforcing legal holds), end users would need to spend hours each month manually deleting items in order to stay under email quotas. In this scenario, it is likely that users will unknowingly delete emails which should have been kept for legal hold reasons. This is, needless to say, very costly from a lost productivity and a legal risk point of view.

Best practice: Don't underestimate the impact of the "lost document" issue within your enterprise; fully deploy the Enterprise Vault search capabilities to maximize end user productivity.

Improved Microsoft® Exchange stability

Because Enterprise Vault has the net effect of reducing the size of Microsoft® Exchange information stores—both in terms of quantity and size of items—there is likely to be an increase in the overall stability and uptime of an organization's core messaging infrastructure. Similarly, each Exchange server will be able to support additional users, all else the same. In fact, in the case of Fulton County, Georgia, they estimated that by implementing Enterprise Vault, they were able to avoid \$180,000 in hardware and software purchases for this reason.¹⁰

Reduced data loss from Personal Storage Tables (PST) corruption

As noted earlier, by ingesting all Outlook PST files into Enterprise Vault, they are no longer stored on local desktop and laptop drives. As a result, data is now protected in the archive and related backups of that archive. This completely eliminates any data loss from PST files related to corruption, theft, malfeasance, or disk failure. One 2,000 employee organization estimated that this has eliminated at least 20 GB of data loss annually. What is the value of that savings?

Best practice: Declare all backup tapes are to be used for disaster recovery purposes only; some legal experts believe this may help provide safe harbor benefits against having to restore from backup tapes during a dispute. Also consider only keeping backup tapes less than a month before they are re-used.

Email recovery efficiency

Customers are also reporting significant efficiency gains in IT staff time spent recovering emails that have become corrupt or were accidentally deleted. In the case of Fulton County, Georgia, an analysis revealed that the County was able

⁹-Somerfield Stores Customer Success Story, pages 2-4.
¹⁰-Alchemy Solutions Group, "Fulton County Georgia Business Value Analysis", page 12.

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to redeploy two IT positions for a total of \$417,653 in savings over a three year period.¹¹ Similarly, ING Investment Management reported \$289,299 in savings.¹²

In a related point, another customer noted that by ingesting all data on some 15,000 backup tapes, they were able to significantly reduce the amount of time it took to locate data. As the vice-president of the corporate messaging group explained, "prior to using Enterprise Vault, we had to do manual tape restores. It took 4 hours to 24 hours per tape if you knew which tape was on which server. If you didn't, it took one day to six months. Now it takes 24 hours."¹³

Reduced service desk call volumes

For a wide variety of reasons, customers are reporting a drop in Service Desk call volumes not only because employees can more readily find lost items, but also because PST files no longer result in lost data. According to Alchemy Solutions Group, "In the BVA studies, IT help desks reduced the time spent on end user email tasks—such as restoring emails, helping meet email quotas, fixing personal storage table file issues, and more—by an average of 98 percent, or 1,800 hours, per year. This added up to more than \$75,000 in increased productivity every year."¹⁴ Astoundingly, ING Investment Management reported \$637,972 in IT labor savings over a five year period by eliminating PST file management issues, not to mention another \$5 million in related end user productivity gains.¹⁵

Quota elimination benefits

Enterprise Vault significantly reduces the size of email information stores. Indeed, many of our customers have been able to eliminate server imposed email quotas, effectively creating "the unlimited mailbox." For some customers, the benefits are huge. According to Alchemy Solutions Group, "organizations that eliminated email quotas saved their employees an average of 113,000 hours and gained more than \$717,000 in enhanced productivity each year."¹⁶

Best practice: Consider implementing a combined age and quota based archiving strategy.

Reduced messaging system upgrade times

Once a customer has fully deployed an archiving system for either their Exchange or Domino® messaging environments, typically original content has either been replaced with much smaller shortcuts or even expired altogether. Because the message stores are therefore much smaller, this means that when customers upgrade their Exchange or Domino environments, the amount of data to be transferred will be significantly less and the upgrade much faster. This benefit will continue to occur through successive upgrades (e.g. Exchange 2003 to Exchange 2007 to Exchange 2010 to Exchange 201x).

Other risk reductions

Reduced risk of sanctions from failure to preserve

With no automated mechanism to enforce legal holds, an organization can face a variety of serious consequences. Those consequences typically include embarrassment, brand damage, additional costs for third party review, monetary court sanctions, adverse inference jury

11-Alchemy Solutions Group, "Fulton County Georgia Business Value Analysis", page 12.

12-Alchemy Solutions Group, "ING Investment Management Business Value Analysis", page 14.

13-Forrester Research, "The Total Economic Impact Of The Symantec Enterprise Vault", page 12.

14-Alchemy Solutions Group, "Business Value Analysis-Market Research Report: Archiving and eDiscovery", page 8. BDO Israel also reported \$160,154 in savings in Alchemy Solutions Group, "BDO Israel Business Value Analysis", page 11.

15-Alchemy Solutions Group, "ING Investment Management Business Value Analysis", page 16. An analysis of Meredith Corporation's Service Desk operations showed benefit of \$113,061. See Alchemy Solutions Group, "Meredith Corporation Business Value Analysis", page 19.

16-Alchemy Solutions Group, "Business Value Analysis-Market Research Report: Archiving and eDiscovery", page 5. BDO Israel reported \$160,154 in savings in Alchemy Solutions Group, "BDO Israel Business Value Analysis", page 11. An analysis of Meredith Corporation showed benefit of \$2,577,473. See Alchemy Solutions Group, "Meredith Corporation Business Value Analysis", page 19. National University of Singapore reported over \$2.5 million of benefit from end users not having to manage PST files. See Alchemy Solutions Group, "National University of Singapore Business Value Analysis", page 9. An analysis of Symantec's implementation of Enterprise Vault demonstrated over \$72,000 in Service Desk savings from resolving quota management issues. See Alchemy Solutions Group, "Symantec Business Value Analysis", page 11.

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instructions, and default judgments.¹⁷ Many cases illustrate the financial perils that can result, with *E.I. du Pont de Nemours v. Kolon Industries*, No. 3:09-CV-0058, being one of the latest of these decisions.

In *DuPont*, the jury returned a stunning \$919 million verdict in September 2011 for *DuPont* in a trade secret theft case. The verdict was the culmination of a two and one-half year battle that *DuPont* waged against *Kolon Industries* to prove that *Kolon* had misappropriated key aspects of its formula for *Kevlar*®. The court delivered a decisive blow shortly before trial when it found that *Kolon* had destroyed emails and other electronically stored information linking it to the trade secret theft. The sanction for that spoliation was an instruction to the jury that *Kolon* executives and employees had deleted key evidence after the company's preservation duty was triggered. A key lesson from the *DuPont* case is that the destroyed materials might have been preserved had *Kolon* implemented an archiving solution for its email and other electronic data.¹⁸

Other noteworthy cases involving the issuance of adverse inference or other doomsday sanctions:

- *Green v. Blitz U.S.A., Inc.*, No. 2:07-CV-372 (TJW) (E.D. Tex. Mar. 1, 2011).
- *Northington v. H&M International*, 2011 WL 663055 (N.D. Ill. 2011).
- *Victor Stanley, Inc. v. Creative Pipe, Inc.*, 269 F.R.D. 497 (D. Md. 2010).¹⁹
- *Rimkus Consulting Group, Inc. v. Cammarata*, 688 F.Supp.2d 589 (S.D.Tex. 2010).²⁰
- *Pension Comm. of Univ. of Montreal Pension Plan v. Banc of America Sec., LLC*, 685 F. Supp. 2d 456 (S.D.N.Y. 2010, modified May 15, 2010).²¹

Best practice: Be sure to concurrently document all collection and preservation activities for each legal matter as they occur; this will be very helpful in proving to the courts that every reasonable effort was undertaken during discovery, and this will be the basis for legal defensibility.

Regulatory compliance

In heavily regulated industries such as financial services, healthcare, and pharmaceuticals, automated archiving systems play an essential role in assuring that archived data is retained minimally for statutory or regulated reasons. By way of example, a major U.S. bank paid millions of dollars in fines and suffered brand damage and loss of investor confidence in its operations after the U.S. Security and Exchange Commission (SEC) charged the bank for being unable to provide important information relating to a recent merger, and for taking too long to provide copies of requested emails pertaining to certain traders who had been accused of illegal activities. Regardless of the merits of the SEC's investigation, the bank was in violation of basic regulatory compliance requirements, in particular SEC Rule 17a-4, which requires that broker-dealers preserve all data on non-rewritable, non-erasable storage media. In a post-case review, bank management realized they weren't complying with a broad range of regulations beyond SEC 17a-4, and that departments and operational elements beyond the broker-dealers were non-compliant when it came to message preservation.²²

Proactive data indexing

Some customers have argued that they do not need to implement a pro-active eDiscovery solution like Enterprise Vault, relying instead on the argument that they can always hire an outside eDiscovery vendor should they ever be sued. There is a major flaw in this argument, however: eDiscovery vendors are costly, and they must take the time to understand an organization's environment in order to ensure a defensible

17-Osterman Research, "Convincing Decision Makers of the Critical Need for Archiving", page 3.

18-E.I. DuPont De Nemours and Company v. Kolon Industries, Inc., No. 3:09cv58, (E.D. Virginia, Richmond Division, July 21, 2011).

19-In *Victory Stanley*, the court entered default judgment against the defendant for its systematic destruction of evidence.

20-The *Rimkus* court imposed an adverse inference jury instruction on the defendant for its intentional spoliation of electronic documents.

21-Referred to as "Zubalake Revisited: Six Years Later," the court (per Judge Shira Scheindlin) imposed various sanctions on several plaintiffs for failing to preserve and collect document.

22-CMS Watch, "The email Archiving and Management Report 2008", pages 14-15. One customer reported they had reduced exposure to financial penalties from legal proceedings in which a court or regulatory authority may fine a firm for failing to produce requested email messages. An independent analysis showed, using a risk based assessment, \$1.5 million in benefit. See Forrester Research, "The Total Economic Impact Of The Symantec Enterprise Vault", page 8 and 14.

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process. Contrast this to a fully deployed Enterprise Vault customer who can immediately begin searches using the Clearwell eDiscovery Platform without any dependency on outside consultants or their requirements. Further, consider the benefits when an organization can immediately use its proactively indexed data to assess claims and defenses and develop a strategy long before the formal discovery process has begun. Finally, the benefits of being able to look at the universe of your own data is irreplaceable. Enterprise Vault and the Clearwell eDiscovery Platform give you the ability to conduct Early Case Assessment and do to an initial review in-house. This ensures that outside counsel is only receiving the relevant data sets they need and that time and money is not wasted.

Consider also this finding: on average, companies in the BVA studies (see page 8) managed to cut 96 percent of the time spent in eDiscovery—about 1,700 hours—to save more than \$70,000 in labor costs every year.²³ The savings are tremendous from a data collection, data transfer, review, and production point of view. The more that can be accomplished in-house, the more control a company has over their budgets and case strategies.

Protection against fraudulent claims

Finally, one of our customers, Luton Borough Council, experienced an unexpected benefit from Enterprise Vault, "In internal disputes, events stand or fall on the quality of the evidence. Last year for instance, an employee who was in dispute with the Council tried to amend the contents of an original email that had been sent. The Council was able to prove that the email had been 'doctored', as Enterprise Vault software holds the original email locked away and time stamped in the Vault."²⁴

Hard cost savings

In addition to the above soft cost savings for search, IT operational benefits, and risk reduction, there are additional savings which are the topic of the companion white paper, "Archiving and eDiscovery: Real World ROI From Hard Cost Savings." Although more difficult to measure, these benefits are nevertheless very real and can only further bolster the very high return on investment organizations will experience. Examples include:

Reduced storage costs:

1. Compression and single instancing can reduce disk requirements by up to 72 percent
2. Replacing content with small shortcuts in the email system
3. Implementing tiered storage for data stored in the archive
4. Disk reclamation from automated expiry

Reduced legal fees:

5. Identification and collection phase: reduced evidence collection costs, particularly from ingesting PST files
6. Review and analysis phase: in-source case processing and review

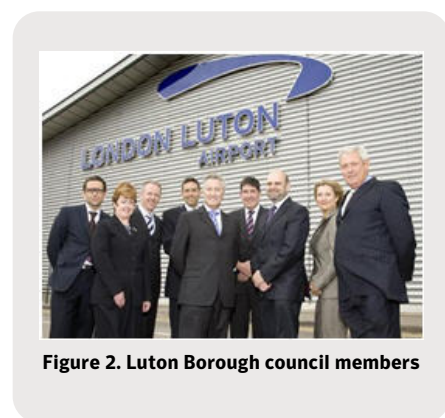


Figure 2. Luton Borough council members

23-Alchemy Solutions Group, "Business Value Analysis-Market Research Report: Archiving and eDiscovery", page 8.
24-http://www.emea.symantec.com/youvegotmail/download/Luton_Borough_Council.pdf

- 7. Recurring legal review costs of same content over and over
- 8. Deduplication in legal review

Lower operations costs:

- 9. Reduced backup times and media costs
- 10. Lower risk insurance costs due to litigation readiness
- 11. Green IT savings

Conclusion

In this white paper, we have presented 15 separate real world ROI soft cost saving examples that our customers have experienced from implementing Enterprise Vault and the Clearwell eDiscovery Platform. Whether they result from hard or soft cost savings, the results are very real. In fact, customers have repeatedly expressed that implementing archiving and eDiscovery tools has resulted in the highest ROI of any IT related project with which they have been involved. To illustrate the point, consider the below charts which summarize the results of all the BVA conducted by Alchemy Solutions Group for Enterprise Vault.

Figure 3 below depicts the most commonly cited benefits across all the studies, with the top four being savings from hardware (30 percent), PST eradication (27 percent), storage (18 percent), and end user productivity (17 percent).

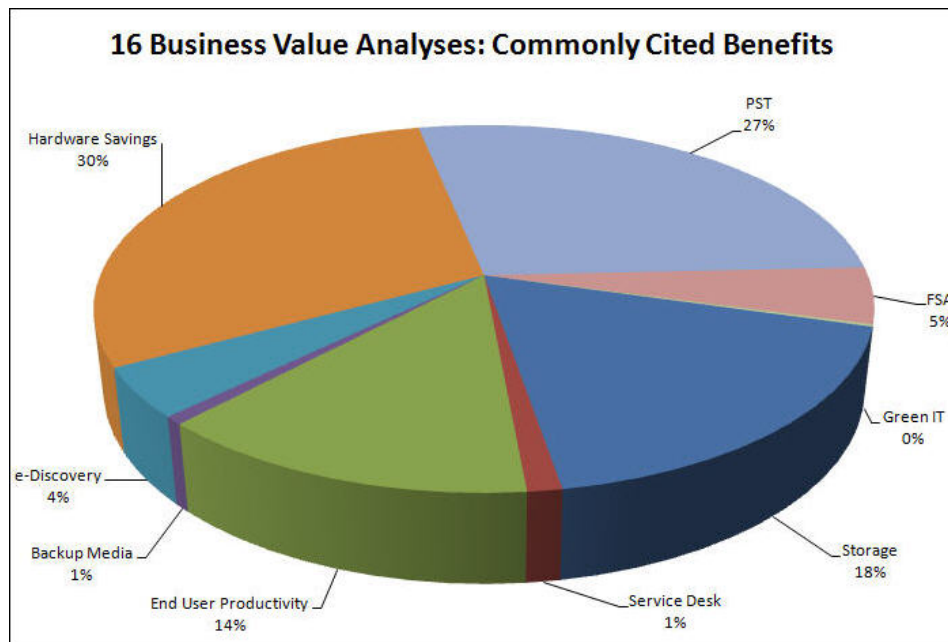


Figure 3. BVA commonly cited benefits

Figure 4 depicts the total savings for each firm in increasing order of benefit:

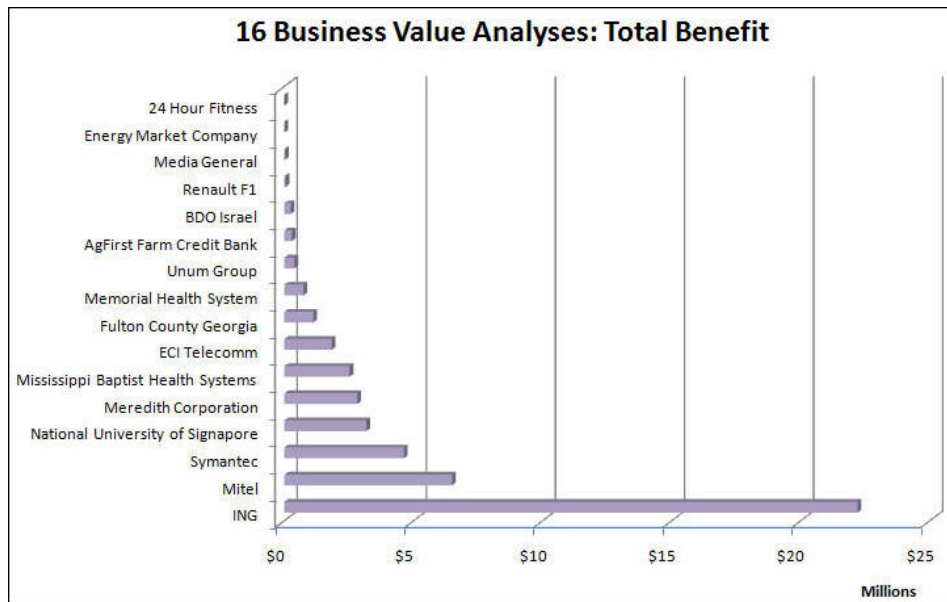


Figure 4. BVA total benefit by customer

Additional benefits can be realized by deploying the Clearwell eDiscovery Platform. According to the Enterprise Strategy Group, "The tangible savings ascertained from Clearwell customers should help other organizations address similar electronic discoveries...the impact of Clearwell's solution is proof that significant benefits and ROI is readily achievable."²⁵

Visit www.enterprisevault.com and www.symantec.com/clearwell for more information about Symantec archiving and eDiscovery products and to learn how you can achieve similar economic benefits for your organization.

25-Enterprise Strategy Group, "Leveraging Analytics to Lower eDiscovery Costs: A Study of Clearwell Systems' Customers", page 8.

About Symantec

Symantec is a global leader in providing security, storage, and systems management solutions to help consumers and organizations secure and manage their information-driven world. Our software and services protect against more risks at more points, more completely and efficiently, enabling confidence wherever information is used or stored. Headquartered in Mountain View, Calif., Symantec has operations in 40 countries. More information is available at www.symantec.com.

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Symantec helps organizations secure and manage their information-driven world with **IT Compliance, discovery and retention management, data loss prevention, and messaging security** solutions.

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