



# Relating Information Governance to Data Storage

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**IDC**



# AGENDA

1. Introduction
2. Information Governance
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  2. Organizational Maturity
3. Business Processes
  1. Compliance
  2. eDiscovery
4. Market Factors
  1. Litigation
  2. ESI
  3. Disruptive Technology
5. Archive
6. Outlook
7. Relating to Storage

# INTRODUCTION



# INFORMATION GOVERNANCE



- ❖ Understanding Information Governance
- ❖ Understanding Organizational Maturity

44 ZB by 2020

¼ Fortune 500 employ CDO Data Privacy 47 U.S. States



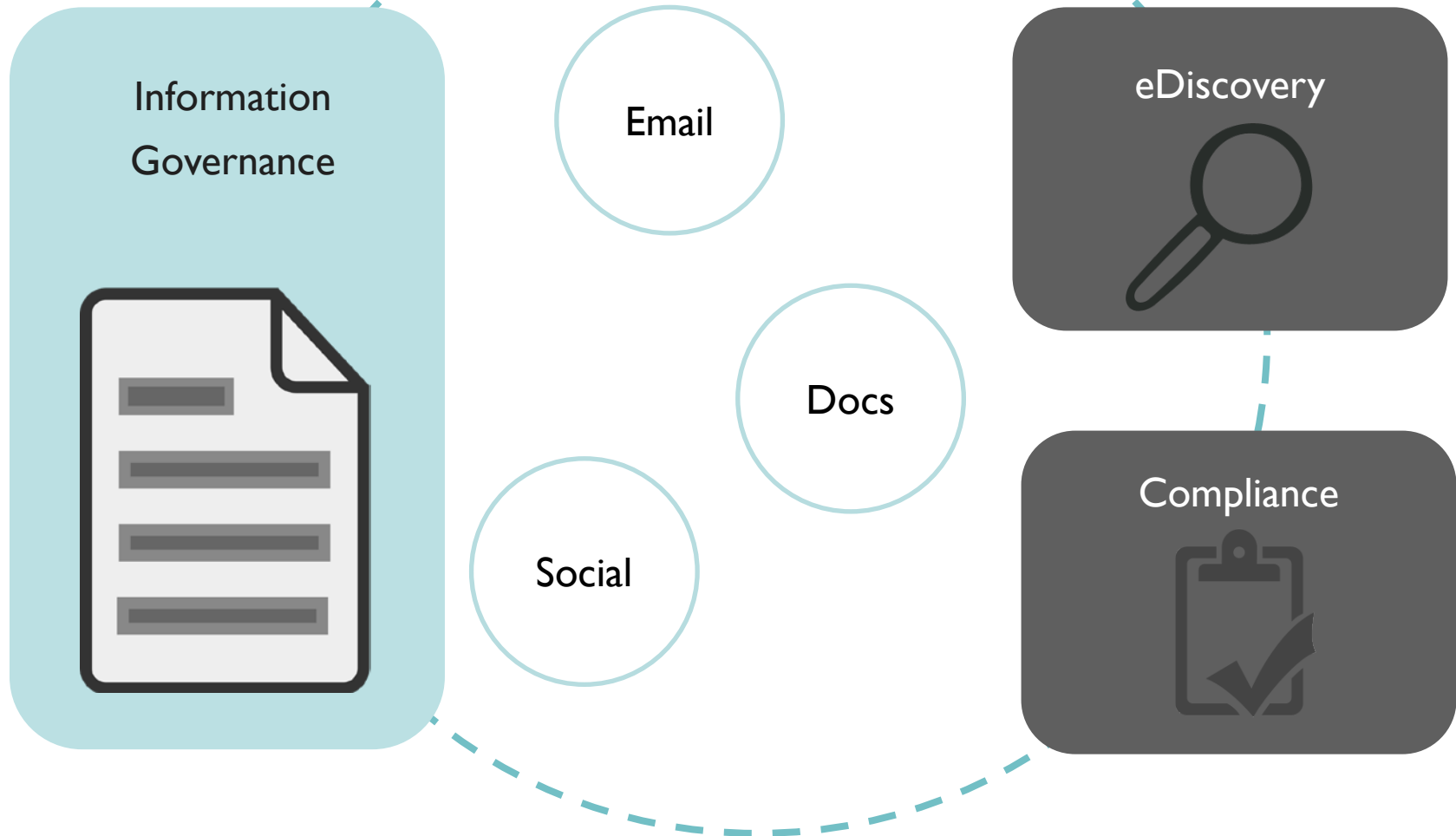
Information

Opportunity

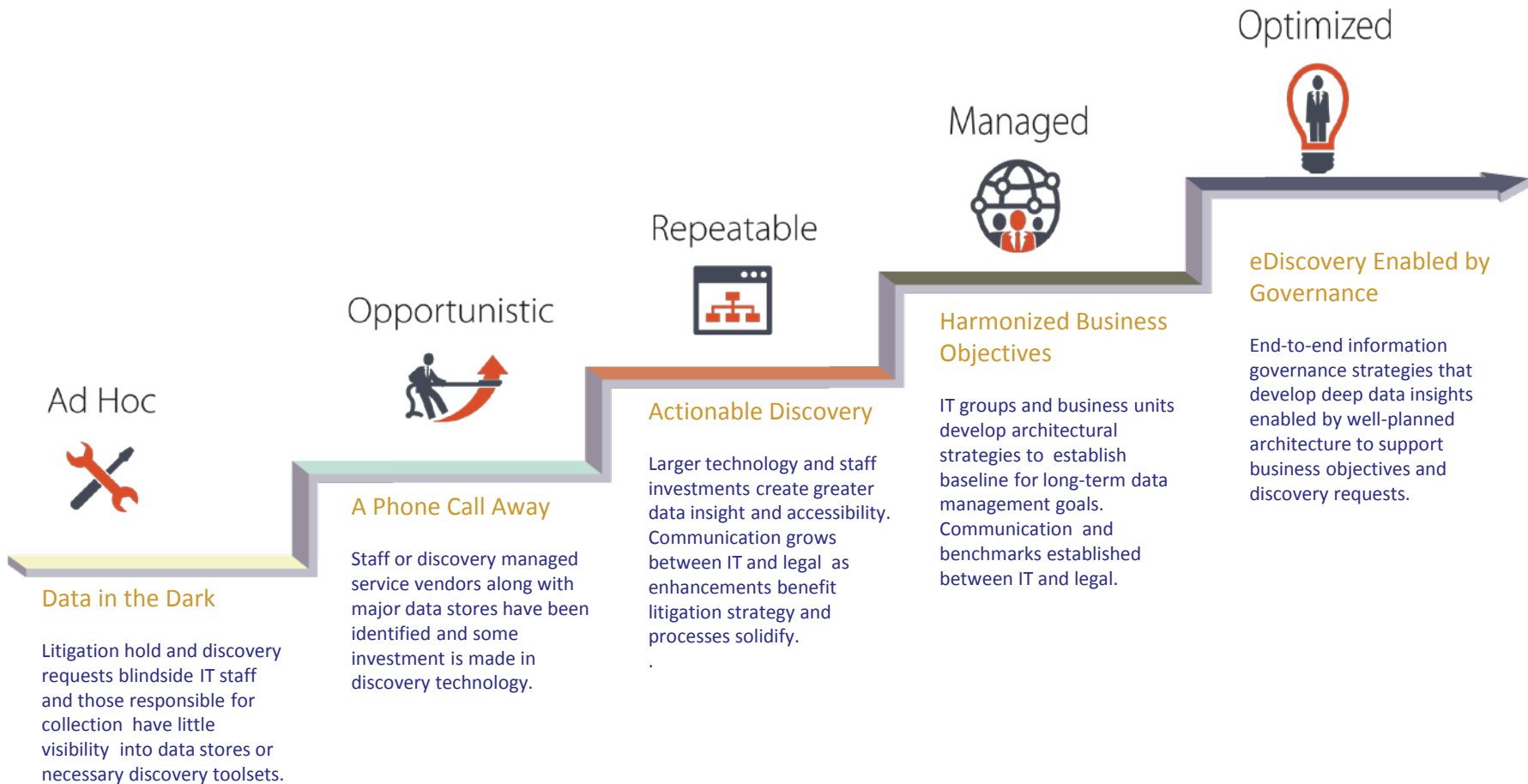
Regulation/Litigation

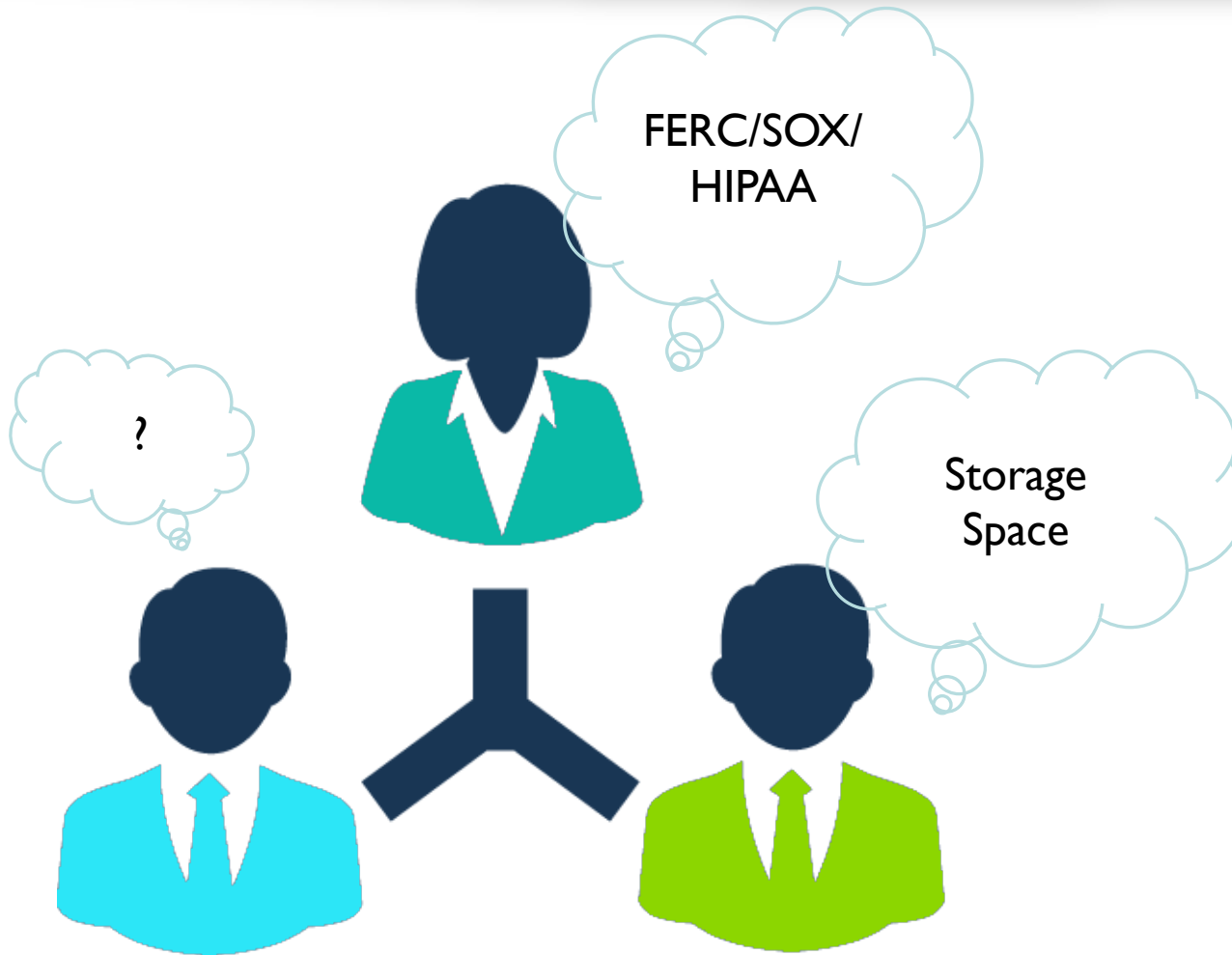
**Murky Data Lake**

# Information Governance



# Organizational Maturity





## ■ Synergies

- Who are the major stakeholders pushing for advancement in a given area.

## ■ Silos

- Which groups would a sponsor like to work more closely with but has been unable to provide services to in the past.

## ■ Stalemates

- Which groups in the organization are sponsors unable to work with or in direct competition



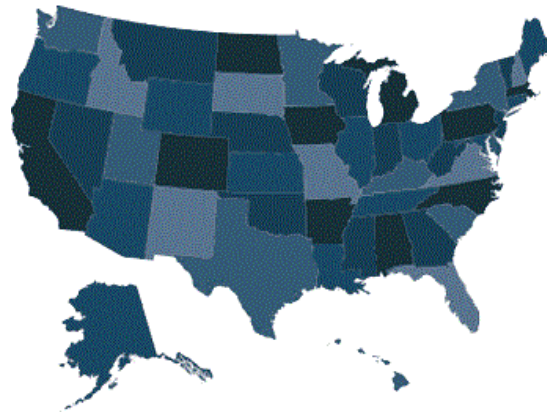
# BUSINESS PROCESSES

❖ Compliance

❖ eDiscovery

❖ Big Data

# Compliance



- ❖ Early Case Assessment (ECA)

- ❖ Early case assessment applications include solutions that are designed to facilitate business process management, document management, and data management activities during identification, preservation, collection, processing, and first pass review.

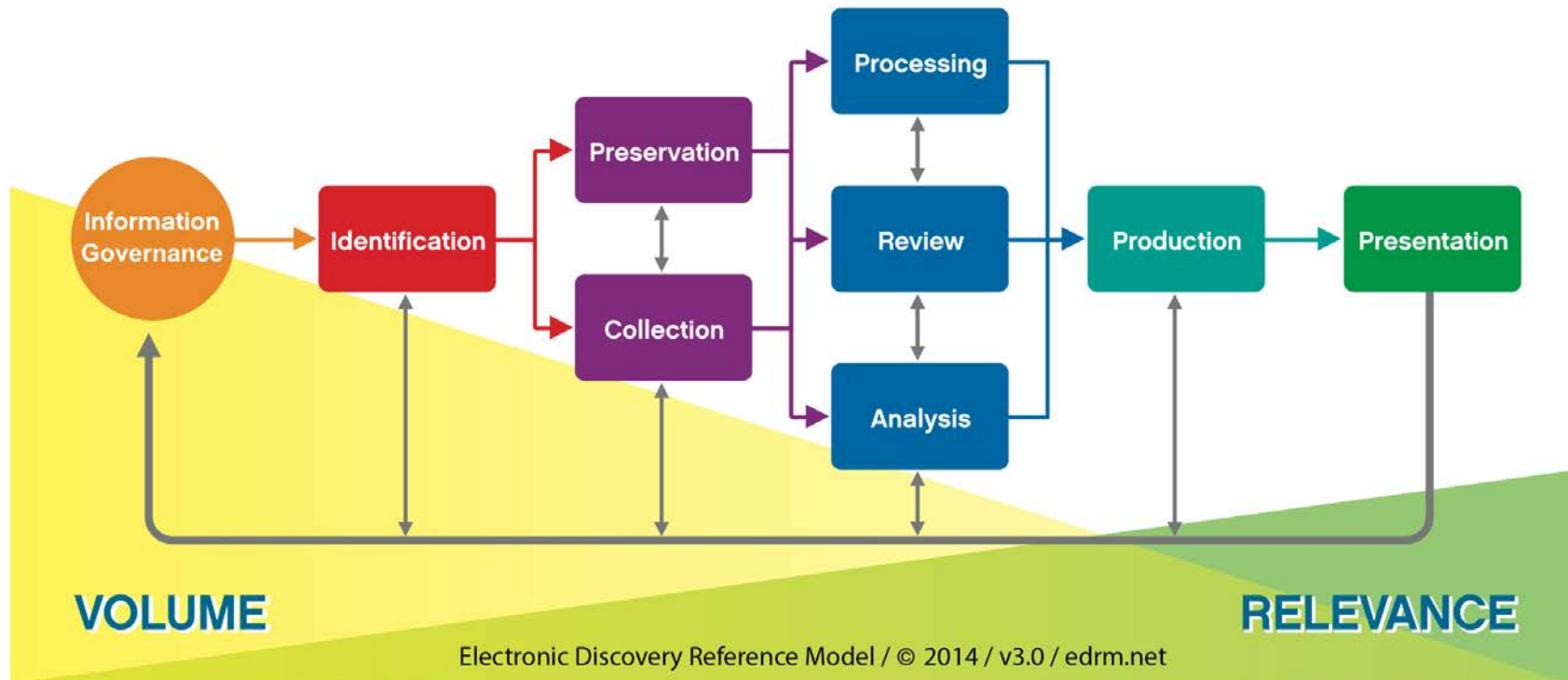
- ❖ eDiscovery Review Platforms

- ❖ eDiscovery review platforms (also sometimes referred to as "document or legal review platforms") are utilized by review attorneys and the litigant's legal team to analyze, review, and produce data, and during post collection and post processing.

- ❖ End-to-End Solutions

- ❖ Full range of ECA and Review platforms services

## Electronic Discovery Reference Model



- Security
- Fraud
- Surveillance
- Performance
- Marketing
- Monetization



# MARKET FACTORS

- ❖ Litigation
- ❖ Electronically Stored Information (ESI) Volume
- ❖ Influence of Cloud and Social
- ❖ Spending & Commoditization

- Moore v. Citgo Co., LP, 735 F.3d 309 (5th Cir. 2013)
  - ❖ 5<sup>th</sup> Circuit
  - ❖ Finding that quality of eDiscovery prejudiced defendant due to failure to preserve
- *915 Broadway Associates, LLC v. Paul, Hastings, Janofsky & Walker, LLP*
  - ❖ Finding that eDiscovery prejudiced defendant due to failure to preserve
  - ❖ Court scrutinized plaintiff's information governance practices
- Federal Rules of Civil Procedure (FRCP) -26(b)(1)
- Expanding Regulation (State and International)

## ➤ Patent Litigation

- ❖ *CISCO Systems Inc. et. al. v. Innovatio IP Ventures LLC*
- ❖ *Apple Inc. v. Samsung Electronics Co., Ltd.*

## ➤ Consumer Privacy Litigation

- ❖ *Pineda v. Williams-Sonoma Stores, Inc.*
- ❖ *Tyler v Michael's Stores, Inc.*

## ➤ M&A Activity

## ➤ Regulatory Actions





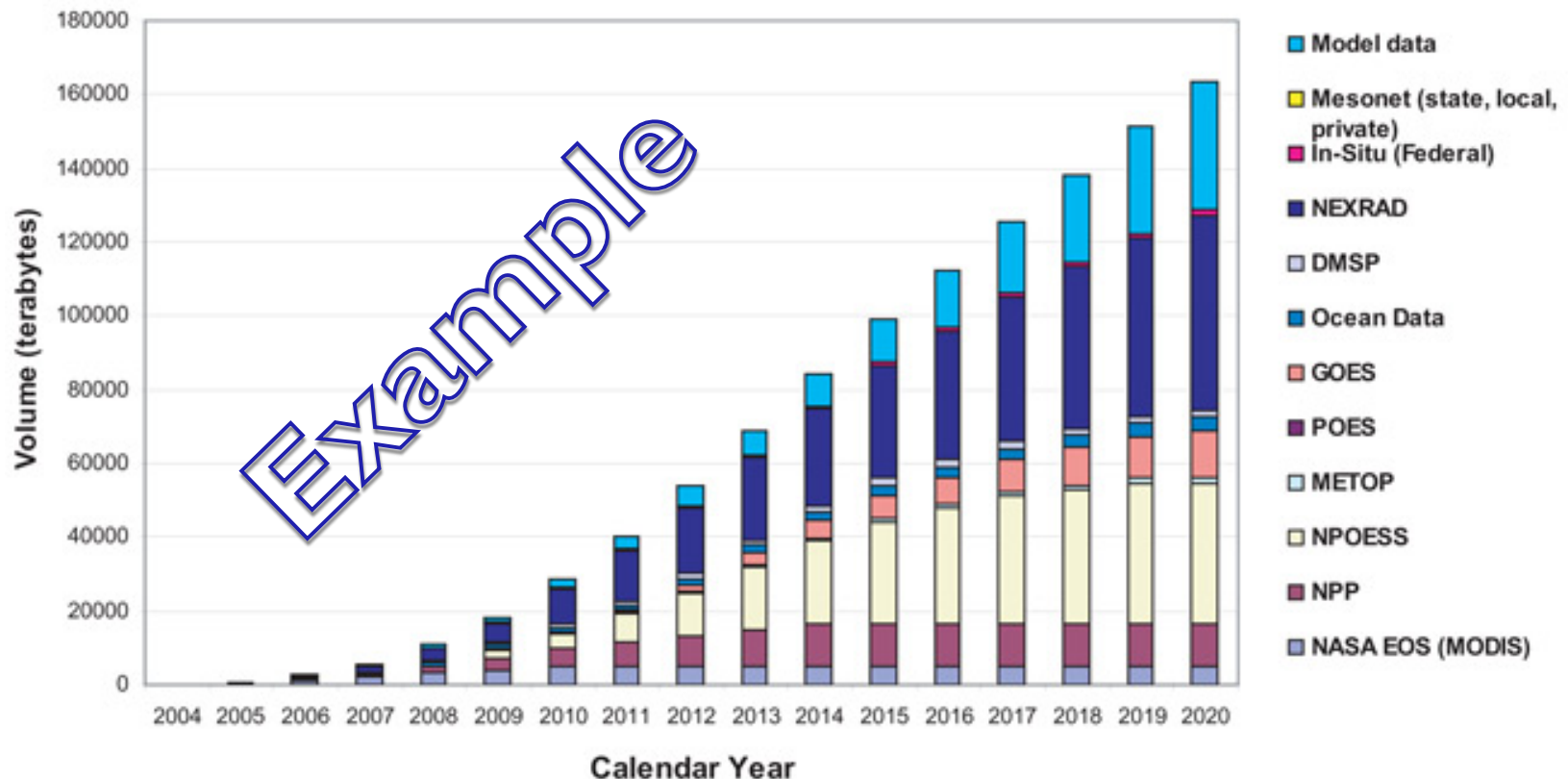
Digital University 44ZB by 2020

## Changes in Platform and Cloud Adoption

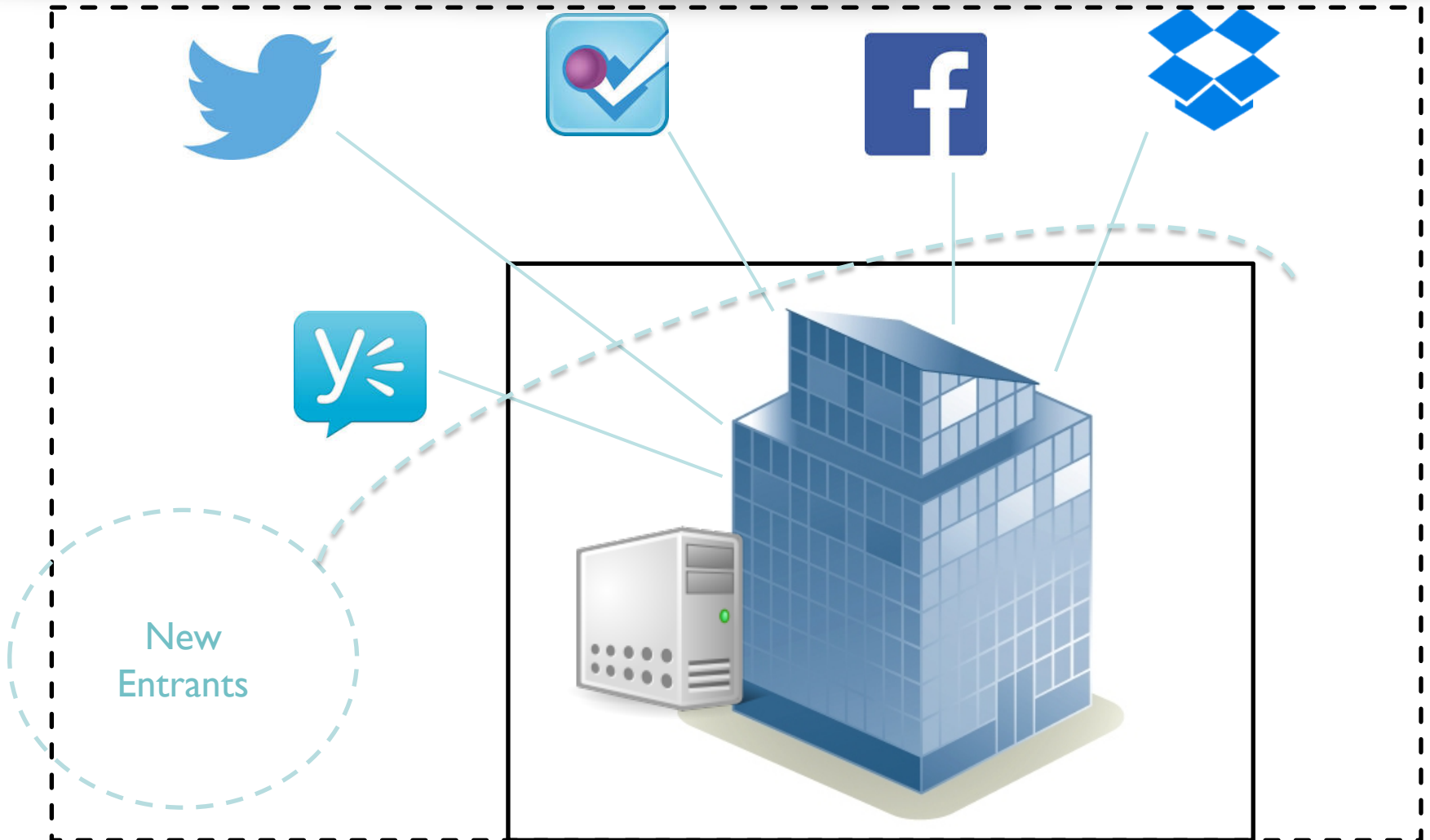


# ESI Volume

- Up to 85% of Electronically Stored Information (ESI) is unstructured data



# The Influence of Cloud and Social

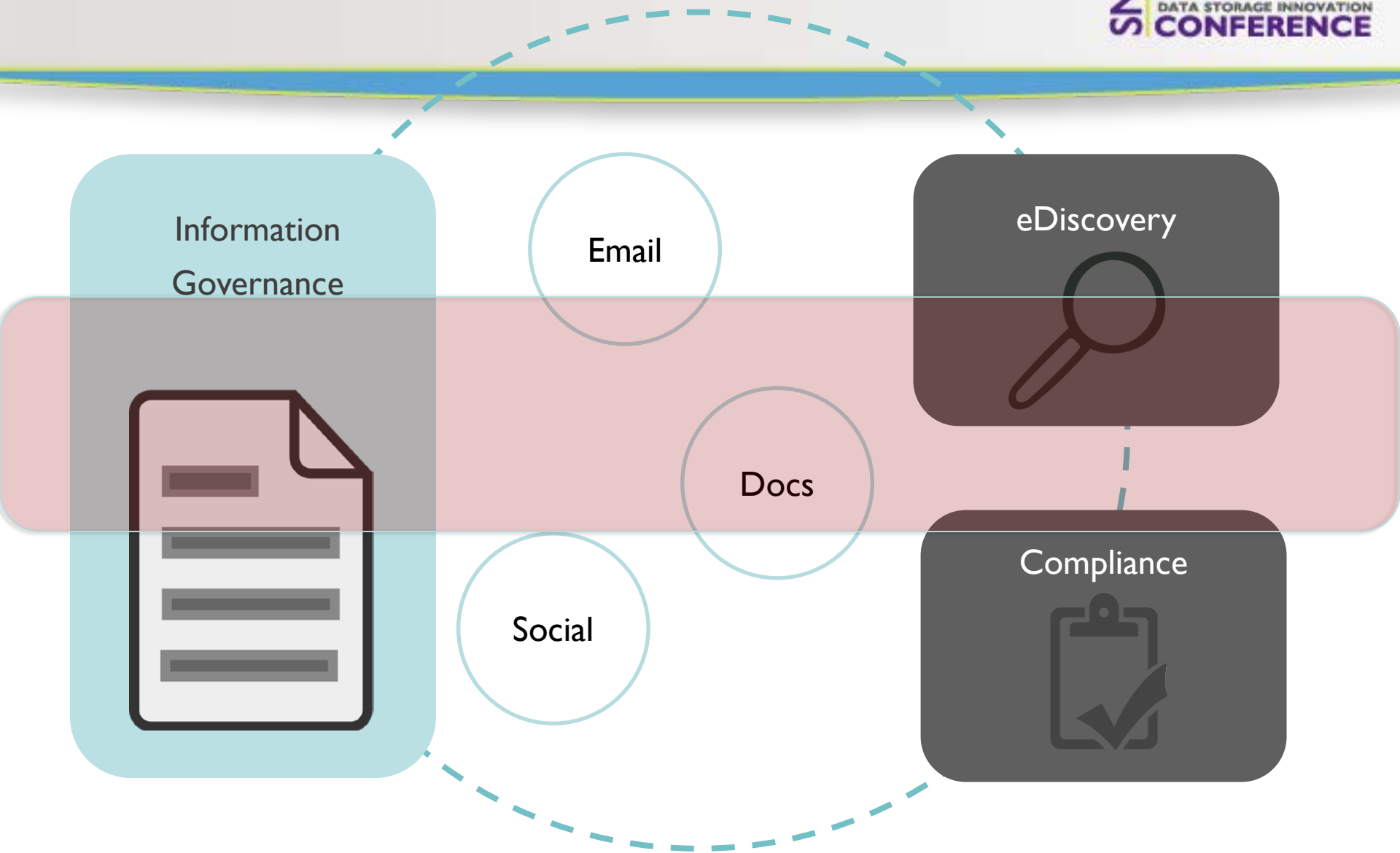


# Spending and Commoditization

- ❖ Worldwide IT Spending Forecast to grow at a modest 4.1% Year-over-year for a total of \$3.7 Trillion
- ❖ The availability of inexpensive storage capacity will keep some from deploying specialized archive solutions.
- ❖ A combination of efficiency technologies, indexing, and search capabilities continue to encourage end users to use backup as an alternative to purpose-built archiving software.
- ❖ One of the biggest drivers of archiving is email. The use of built-in archiving capabilities native to Gmail and O365 limit the need for purpose-built archiving purchases for some organizations.
- ❖ Lack of disruptive technologies in eDiscovery and archive have created a situation where product manufacturers are meeting in the middle as additional product functionality is added.

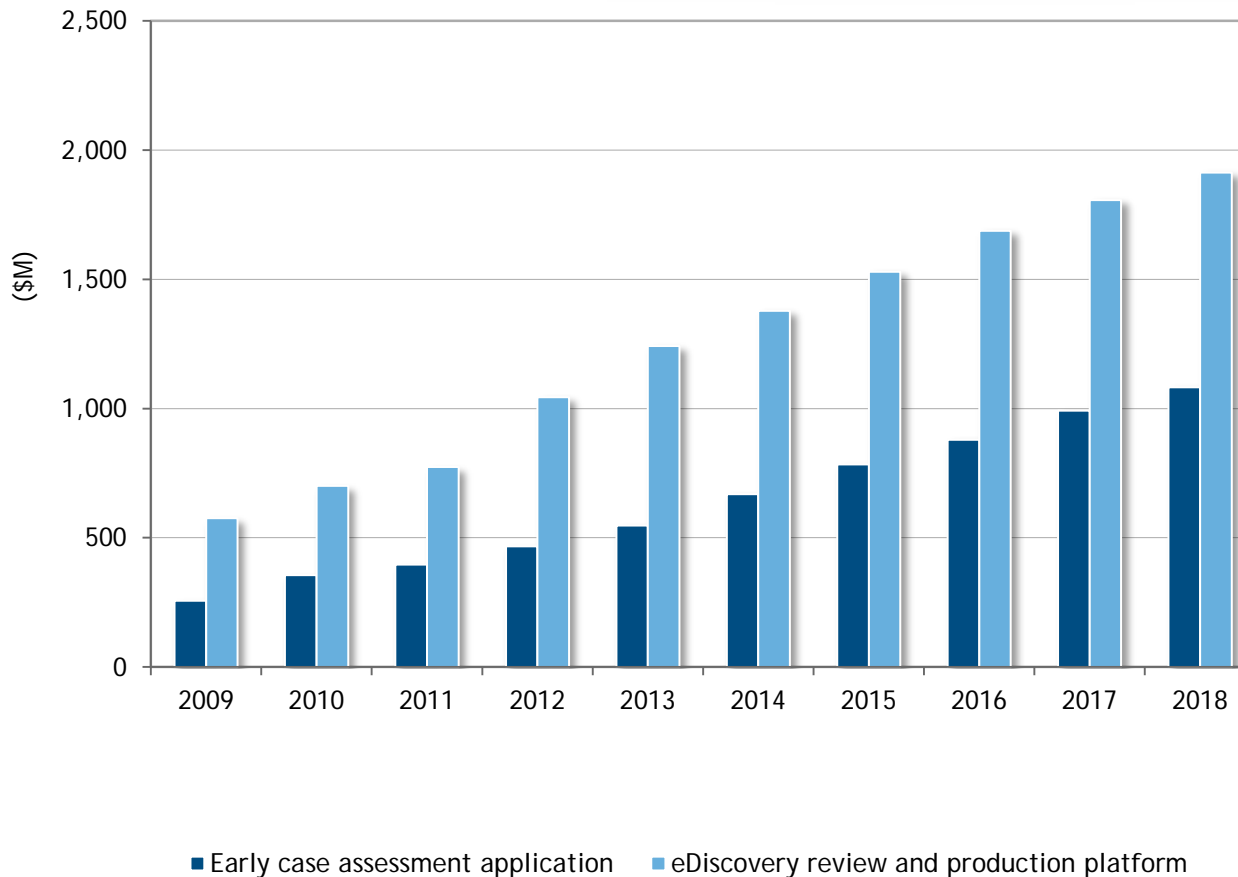
# ARCHIVE





- ❖ eDiscovery
- ❖ Storage and Archive
- ❖ Social and Web
- ❖ Short Term Market View
- ❖ Competition
- ❖ Strategies

# Total eDiscovery market by platform

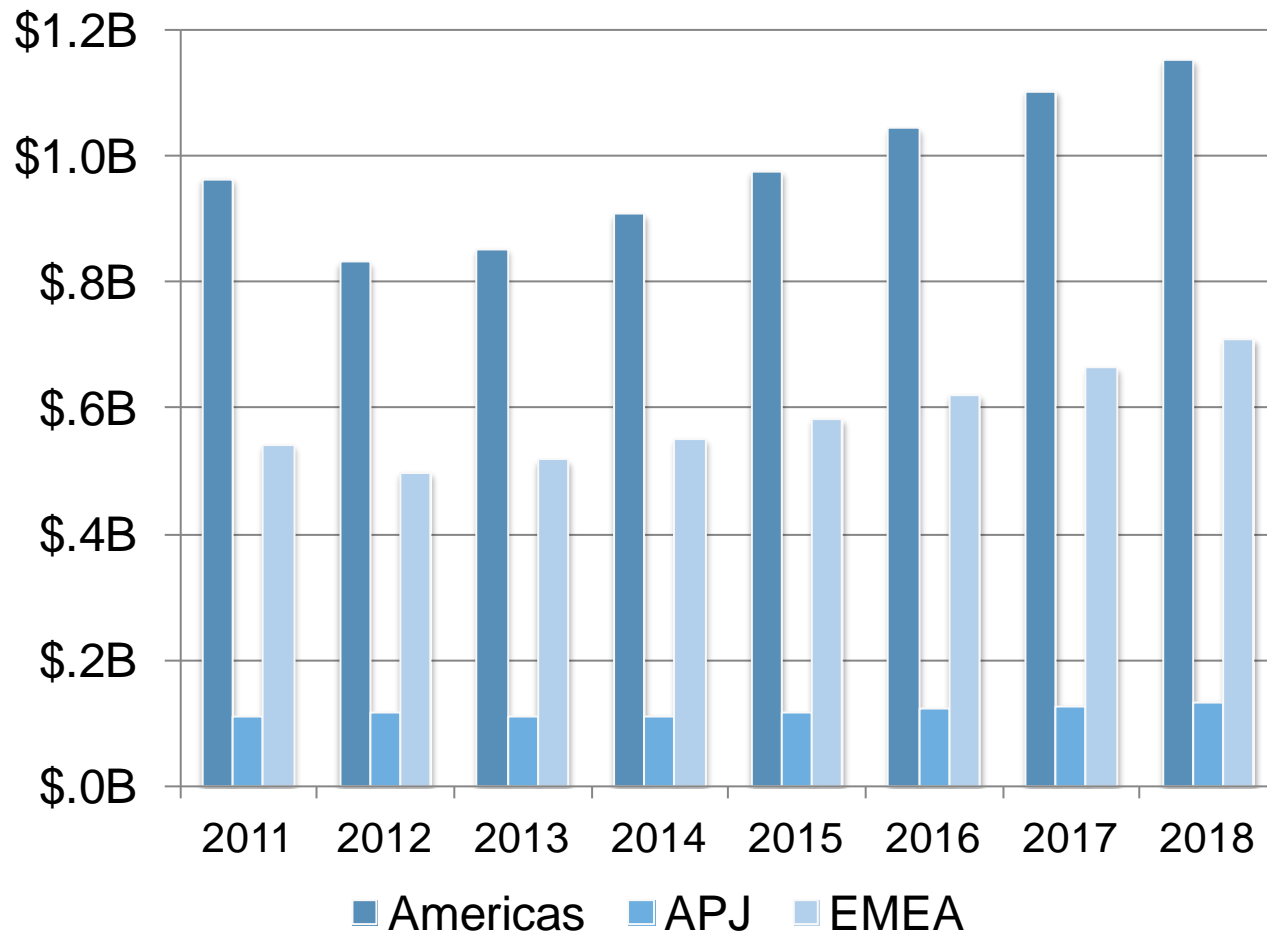


Total Market Year-over-year growth has slowed from 5 years of over 20% Year-over-year growth. 2013- 2018 CAGR is forecast to be 14.6% for ECA applications with higher year-over-year SaaS growth (16.8% 2012-2013).



- Majority of potential clients want processing plus and ECA or processing, review, and analysis.
- About 15% – 20% ask for and need end-to-end solutions
- In-house review is still done in a large minority of corporate clients
- Still see many large corporations with who fully outsource eDiscovery process or outsource the bulk of collection through review and analysis

# Archive Market



IDC expects greater year-over-year growth in cloud adoption as companies become more comfortable with cloud solutions. Between 9% -12%.

Regional market movements will show minor shift from APJ towards EMEA markets.

**Americas:**

- 4.9% CAGR – Net new

**APJ:**

- 3.7% CAGR – Net new

**EMEA:**

- 5.2% CAGR – Net new

# Storage and Archive Solutions

- Up to 65% of organizations support multiple archive and content management solutions
  - Institutional knowledge
  - Prohibits big data initiatives
  - Creates long discovery cycle times
- Strong data position
- Synergies and Acquisition

- Archive in Place
- Archive via Backup
- Active Archive
- Long-term Data Preservation

## Archive Strategies



- Social media archiving becoming a legal imperative
  - ❖ Social media guidelines have been published by the Financial Industry Regulatory Authority (FINRA) 10-06, the Federal Financial Institutions Examination Council (FFIEC), and the Federal Trade Commission (FTC)
  - ❖ Adoption of Enterprise Social Networks as part of internal communications workflow is on the rise i.e. Yammer has reached nearly 8 million users propelled in part by their acquisition by Microsoft
  
- Advertising
- Brand/Reputation Challenges
- Despite regulation and consistent media coverage we are still waiting on a landmark action

# Short Term View

- eDiscovery solutions will continue to align with storage and archiving solutions
- New market entrants have slowed and there will be few total market participants through failure and acquisition
- Corporations will continue to add head-count focused on IG and eDiscovery processes.
- Traditional storage providers are making headway into aligning storage mechanisms with actionable legal hold

# Organizational Influence

## Benefits

- Full understanding of corporate information universe
- Shrinking disparate information sources
- Leveraging single set big data
- Actionable legal hold
- Storage and Archive Synergy
- Cost

- CIO
- Various legal: head of litigation, GC,
- IT legal – Business analysts
- CISO and other IT security
- Storage administration
- E-mail administration
- Purchasing

## Influencers

- Information Governance -- Corporate IT, Audit, Data Governance, Legal
- Archive and Storage – Finance, Corporate IT, Storage, Legal
- Collection – IT Security, HR, Legal
- ECA , Review, Processing - Legal



# Impact on Storage

- ◆ Does an organization have an Information Governance/Data Security steering committee?
  - ❖ Key membership
  - ❖ Influence
- ◆ Security vs. Legal vs. Storage
- ◆ IT Budget vs. Legal Budget
- ◆ Outsourcing (LSP)
- ◆ How disruptive is a data collection?
- ◆ How disruptive is a data search?
- ◆ Why use a cloud based offering?
- ◆ Combating cheaper storage options and limited built-in functionality

# Impact on Storage





# For More Information



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