

### Who Should Read This Brief?

If your company uses email to transmit any commercial information, regardless of size you may have a duty of care to ensure your emails and their attachments are retained in a tamper proof environment.

Equally as important is the cost associated with losing and reviving (or attempting to find) old emails. By reading this Brief you should have a clear understanding of the benefits associated with Active Email Archiving. This brief is suitable for business managers and IT staff.

### Synopsis

Recent search indicates that more than 70% a company's intellectual property may be contained in current and historical emails and their attachments. This brief discusses the business case for deploying an Active Email Archiving solution.

The paper discusses costs involved with lost productivity, IT support and risk associated with the loss of emails.

### Background

Email has become a cornerstone of business function and unlike telephone conversation may easily form a permanent record of business communications. As a consequence of this and the demand for improved corporate governance governments around the world are placing greater demands on business for transparency on the saving and timely recovery of emails.

Furthermore business is placing greater importance on risk mitigation;

- Being able to quickly identify all appropriate email
- Being able to recover emails and attachments in a timely manner
- Being able to demonstrate completeness of email records
- Being able to demonstrate the integrity of emails and attachments

Reasons for this include:

- Legal demands
- Productivity
- Commercial reasons

### Legal Demands

Unfortunately, finding relevant emails can be time consuming. Email files tend to be stored by date, not sender or topic. Therefore, even routine investigations may take days or weeks.

Companies may be penalized for delays or failure to produce timely information. Some recent high profile cases include the following:

## MailRevive Business Brief: The Case for Active Email Archiving

A jury awarded \$800-million in punitive damages when Morgan Stanley repeatedly failed to produce emails in a timely manner,. The judge stated that "efforts to hide its emails" were evidence of "guilt." (Coleman Holdings v. Morgan Stanley)

A jury awarded \$29.2-million in the largest single sex discrimination verdict in U.S. history after UBS Warburg could not produce copies of relevant emails. The jury was instructed to "infer that the [missing] evidence would have been unfavorable" to the defendant. (Zubulake v. UBS Warburg)

The SEC imposed a fine of \$10-million on Banc of America Securities, the brokerage arm of Bank of America, after they "repeatedly failed promptly to furnish" email and gave "misinformation."

### Productivity

Research\* indicates that the average amount of email stored per user per year is 3.6GB, the demand of effect discovery and revival is immense. MailRevive™ indexing provides instant availability of all email, attachment and their contents, regardless of age without the intervention of expensive IT staff.

Importantly the same MailRevive WebMail browser used for discovery provides "always on" access to email regardless of time or location of staff.

Therefore key benefits are:

- Reduction in the support demands on expensive IT staff
- Hot standby email availability
- Reduction in wasted time looking for "lost" emails.
- "Always On" Email

### Commercial Reasons

For any staff that engage in commercial negotiations with customers or suppliers having access to historical emails regardless of age ensures staff is in the strongest position to negotiate. Knowing emails regardless of age can be quickly revived eliminates a weakening of position due to inadequate or poorly available historical information.

MailRevive reduces the need to "rollover" in a commercial transaction by ensuring all information is readily available regardless of age.

### About MailRevive™

MailRevive™ is a managed application service that operates in conjunction with your existing IT network to ensure the protection, preservation and continuous operation of email communication for your business, while providing on-demand access for users anywhere and anytime. For any size business MailRevive™ will ensure that email data is automatically filtered and preserved, can be intelligently discovered, easily recovered and that continuous access is available at all times.