

# E-Discovery Inventory and Request Checklist

The tasks outlined below are not meant to constitute a “must do” list for e-discovery. Rather, they are reminders to consider when devising or responding to data-inventory obligations and discovery requests. You will notice that this checklist contains a few redundancies, which are included only for completeness and clarity.

Inventory	Request	<b>Networks:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Which networks (domains)
<input type="checkbox"/>	<input type="checkbox"/>	Names (if any) given to servers, their makes, models, and serial numbers
<input type="checkbox"/>	<input type="checkbox"/>	Aggregate amount of data to inventory
<input type="checkbox"/>	<input type="checkbox"/>	Aggregate amount of data to collect
<input type="checkbox"/>	<input type="checkbox"/>	Number and kinds of servers
<input type="checkbox"/>	<input type="checkbox"/>	Database servers
<input type="checkbox"/>	<input type="checkbox"/>	File servers
<input type="checkbox"/>	<input type="checkbox"/>	File share folders
<input type="checkbox"/>	<input type="checkbox"/>	Email servers
<input type="checkbox"/>	<input type="checkbox"/>	Password-protected data
<input type="checkbox"/>	<input type="checkbox"/>	Encrypted data
<input type="checkbox"/>	<input type="checkbox"/>	Relevant time period for data
<input type="checkbox"/>	<input type="checkbox"/>	How data inventoried and collected (e.g., imaging, storage media used)
<input type="checkbox"/>	<input type="checkbox"/>	Geographic and physical locations of servers

Inventory	Request	<b>Individual PCs, workstations, laptops, home computers:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Geographic and physical locations of owned/used devices
<input type="checkbox"/>	<input type="checkbox"/>	Make, model, and serial numbers of owned/used devices
<input type="checkbox"/>	<input type="checkbox"/>	Custodian(s) of computers, devices
<input type="checkbox"/>	<input type="checkbox"/>	Operating system (e.g., Windows NT, Windows XP Pro, Mac OS X, Linux)
<input type="checkbox"/>	<input type="checkbox"/>	Software applications (e.g., Microsoft Office Suite, Adobe Acrobat, Lotus Notes)
<input type="checkbox"/>	<input type="checkbox"/>	Password-protected data
<input type="checkbox"/>	<input type="checkbox"/>	Encrypted data
<input type="checkbox"/>	<input type="checkbox"/>	Relevant time period for data
<input type="checkbox"/>	<input type="checkbox"/>	How are the devices backed up, and how often?
<input type="checkbox"/>	<input type="checkbox"/>	Files with viruses
<input type="checkbox"/>	<input type="checkbox"/>	Listings of directories, including file folders, files, hidden files
<input type="checkbox"/>	<input type="checkbox"/>	Computer forensics needed?
<input type="checkbox"/>	<input type="checkbox"/>	Compressed files (e.g., .zip, .rar)

Inventory	Request	<b>Storage devices:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Hard drives (including SAN and NAS drives), makes, models, serial #s
<input type="checkbox"/>	<input type="checkbox"/>	CD and/or DVD drives
<input type="checkbox"/>	<input type="checkbox"/>	USB “thumb” drives
<input type="checkbox"/>	<input type="checkbox"/>	iPods
<input type="checkbox"/>	<input type="checkbox"/>	floppy disk drives
<input type="checkbox"/>	<input type="checkbox"/>	JAZ drives
<input type="checkbox"/>	<input type="checkbox"/>	PDA’s (“Personal Data Assistants,” e.g., Treo, Blackberry, Palm Pilot, handheld “pocket PCs”)
<input type="checkbox"/>	<input type="checkbox"/>	Compact flash memory cards (e.g., SF, CD, SD Memorystick)
<input type="checkbox"/>	<input type="checkbox"/>	Backup and archival tapes (e.g., DLS, DAT)
<input type="checkbox"/>	<input type="checkbox"/>	External hard drives

Inventory	Request	<b>Protocols, strategies:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Computer forensics: imaging storage media; undeleting deleted files
<input type="checkbox"/>	<input type="checkbox"/>	Anti-spoilation measures
<input type="checkbox"/>	<input type="checkbox"/>	Litigation hold; Litigation Preparedness Plan; retention policies
<input type="checkbox"/>	<input type="checkbox"/>	Data sampling (e.g., limited number of witnesses, time frames, document types; Robocopy, xxcopy)
<input type="checkbox"/>	<input type="checkbox"/>	De-duplication using MD5 hash values; Access de-duping
<input type="checkbox"/>	<input type="checkbox"/>	Special Master or court-appointed expert

Inventory	Request	<b>Production of data per Rule 26(a) disclosure requirements or in response to discovery requests:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Discovery Plan (FRCP 26(f), 16(b), Form 35)
<input type="checkbox"/>	<input type="checkbox"/>	Search terms and strategies (e.g., Boolean, content searches, dtSearch)
<input type="checkbox"/>	<input type="checkbox"/>	Production file format (e.g., “native” or in PDF, TIFF or HTML; paper)
<input type="checkbox"/>	<input type="checkbox"/>	Production media (e.g., on hard drives, DVDs or CDs; ftp to Web-hosted production folder)
<input type="checkbox"/>	<input type="checkbox"/>	“Clawback” agreement to deal with privileged documents inadvertently produced (FRCP 26(f); Form 35)

<input type="checkbox"/>	<input type="checkbox"/>	Emails with viruses
<b>Inventory</b>	<b>Request</b>	<b>People:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Key witnesses, titles, job description
<input type="checkbox"/>	<input type="checkbox"/>	Which computers, other devices with ESI owned/used?
<input type="checkbox"/>	<input type="checkbox"/>	Geographic and physical locations of owned/used devices
<input type="checkbox"/>	<input type="checkbox"/>	Make, model, and serial numbers of owned/used devices
<input type="checkbox"/>	<input type="checkbox"/>	Custodian(s) of computers, devices
<input type="checkbox"/>	<input type="checkbox"/>	Relevant time period for data
<input type="checkbox"/>	<input type="checkbox"/>	How data inventoried and collected (e.g., imaging, storage media used)
<input type="checkbox"/>	<input type="checkbox"/>	Who inventories and collects data?
<b>Inventory</b>	<b>Request</b>	<b>IT (Information Technology) Department:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Y2K Plan
<input type="checkbox"/>	<input type="checkbox"/>	Disaster Recovery Plan
<input type="checkbox"/>	<input type="checkbox"/>	Hardware/software inventories (e.g., license compliance; Internet and file activity/usage)
<input type="checkbox"/>	<input type="checkbox"/>	Backup software and storage media
<input type="checkbox"/>	<input type="checkbox"/>	Backup procedures and protocols
<input type="checkbox"/>	<input type="checkbox"/>	Number and educational background of IT personnel; certifications
<b>Inventory</b>	<b>Request</b>	<b>Email:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Outlook/Exchange email: Outlook pst, ost and msg files; Exchange .edb database
<input type="checkbox"/>	<input type="checkbox"/>	Exchange public folders
<input type="checkbox"/>	<input type="checkbox"/>	Inbox, Outbox, Deleted Items, Sent Items, Calendar, Contacts, Notes, Tasks, and other Outlook/Exchange folders
<input type="checkbox"/>	<input type="checkbox"/>	"Private" email accounts (e.g., America Online AOL Mail, Yahoo Mail, Microsoft Hotmail, Google gmail, ccMail)
<input type="checkbox"/>	<input type="checkbox"/>	Other email systems (e.g., Groupwise, Lotus Notes/Domino, Eudora, Pegasus, Outlook Express)
<input type="checkbox"/>	<input type="checkbox"/>	Password-protected emails
<input type="checkbox"/>	<input type="checkbox"/>	Encrypted emails
<input type="checkbox"/>	<input type="checkbox"/>	Emails with viruses

<b>Inventory</b>	<b>Request</b>	<b>Other ESI source devices:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Digital cameras
<input type="checkbox"/>	<input type="checkbox"/>	GPS units
<input type="checkbox"/>	<input type="checkbox"/>	Cell phones
<input type="checkbox"/>	<input type="checkbox"/>	Retired (out-of-service) hardware
<input type="checkbox"/>	<input type="checkbox"/>	Surveillance cameras
<input type="checkbox"/>	<input type="checkbox"/>	Telephone records
<input type="checkbox"/>	<input type="checkbox"/>	Bank records
<input type="checkbox"/>	<input type="checkbox"/>	Credit card transactions
<b>Inventory</b>	<b>Request</b>	<b>Other data types:</b>
<input type="checkbox"/>	<input type="checkbox"/>	Voice mail
<input type="checkbox"/>	<input type="checkbox"/>	Videos (e.g., .avi [Microsoft], .wmv [Microsoft], .mov [QuickTime], .swf [Flash])
<input type="checkbox"/>	<input type="checkbox"/>	Sound files (e.g., .wav, .mp3, .au)
<input type="checkbox"/>	<input type="checkbox"/>	Photos and graphics files (e.g., .gif, .tif, .bmp, .jpg, .ai, .png)
<input type="checkbox"/>	<input type="checkbox"/>	Deleted data
<input type="checkbox"/>	<input type="checkbox"/>	Outsourced data
<input type="checkbox"/>	<input type="checkbox"/>	File metadata
<input type="checkbox"/>	<input type="checkbox"/>	Log and user history files
<input type="checkbox"/>	<input type="checkbox"/>	Websites (e.g., My Space, parties' Web pages)
<input type="checkbox"/>	<input type="checkbox"/>	"Old" websites preserved by the "WayBack Machine" ( <a href="http://www.archive.org">www.archive.org</a> )
<input type="checkbox"/>	<input type="checkbox"/>	SEC filings (Edgar)
<input type="checkbox"/>	<input type="checkbox"/>	Court filings (Pacer)
<input type="checkbox"/>	<input type="checkbox"/>	Temporary Internet and OS-generated files (e.g., history, caches, index.dat file)
<input type="checkbox"/>	<input type="checkbox"/>	Instant messaging
<input type="checkbox"/>	<input type="checkbox"/>	Legacy data (e.g., old Wang tapes)
<input type="checkbox"/>	<input type="checkbox"/>	Faxes sent/received electronically
<input type="checkbox"/>	<input type="checkbox"/>	Internet storage sites (e.g., Xdrive.com, Google Docs and Spreadsheets)
<input type="checkbox"/>	<input type="checkbox"/>	E-commerce data