

Departing/Onboarding Employees

PROTECT VALUABLE CORPORATE ASSETS AGAINST DATA THEFT AND LOSS WHEN EMPLOYEES DEPART AND MITIGATE RISK WHEN ONBOARDING

Repeatable Process

Design a repeatable and defensible process to govern data use and handling at onboarding and departure

Established Data Procedures

Ensure data retention and preservation for both routine and sensitive departures

Secure IP

Identify and take action when departing employees misappropriate confidential information

Expert Testimony

Develop compelling narrative around the facts and deconstruct opposing experts

Litigation as a result of data theft and loss continues to rise, driven in part by today's increased workforce mobility, as well as ubiquitous and ever-expanding consumer technology, such as external storage media, cloud storage accounts, and Bring Your Own Device (BYOD) policies. These circumstances make it easier than ever for employees to copy, transfer and reuse their employer's valuable confidential information (whether nefariously or unknowingly). Savvy employers are taking proactive measures to secure data, such as enablement of system alerts to certain transfers and the routine review of logs that might be indicative of data theft. Some employers are even using digital forensics to proactively address risks related to the onboarding of new employees who may possess and plan to use a prior employer's data by, for example, transferring files from a personal email account or thumb drive. Digital forensic analysis and expert testimony are now one of the most powerful tools to prove, and defend against, trade secret misappropriation cases. At the same time, the forensic playing field is constantly shifting, thanks to short hardware lifecycles, increased use of mobile devices, operating system upgrades, and more. The ability to get to the facts, distill them into actionable intelligence, and retain control throughout discovery can separate the successful from the unsuccessful.

Challenges We Address

- **Leaking of confidential information** — According to a global survey from Symantec, "half of employees who left or lost their jobs in the last 12 months kept confidential corporate data, and 40 percent plan to use it in their new jobs." Employers need concrete, actionable evidence to effectively and quickly identify and address these risks, either through cease and desist measures and/or litigation.
- **Risk of disputes with new hires** — Despite advising new hires not to bring prior employer's information with them, companies continue to find themselves in the cross hairs of these disputes. Defending these cases (and remediating contested data) becomes much more complicated and expensive once a competitor's information makes it inside the enterprise, where it is then opened, modified, further disseminated, and saved.
- **Moving technical target** — Today's forensic investigations into departed/onboarded employees regularly involves new and novel devices, data sources, and artifacts that must be diagnosed and understood.
- **Recreating the wheel** — Companies lacking a standard process for addressing departed/onboarded employees must re-scope the investigation each time, incurring unnecessary time and cost. This is especially true where different outside counsel and/or forensic providers are used across multiple matters.

- **Lack of strategic interpretation** — Absent a skilled advisor, it can be challenging to meaningfully decipher nuanced forensic evidence, such as metadata time stamps, application/OS artifacts, deleted information, web browsing history, and more to strategically understand what the evidence does or does not show.

Benefits We Provide

Lighthouse provides industry-leading expertise and access to the latest tools and techniques for building a defensible, repeatable process to analyze the digital forensic evidence related to departing employees. We deliver quick turnarounds and more actionable results, which subsequently helps to improve budget accuracy. In addition, we assist with deconstructing opposing experts' reporting and opinions, and can help prepare for the expert's deposition and/or cross-examination.

SERVICES

Lighthouse offers deep experience partnering with law firms and corporations to design and implement defensible and repeatable solutions to guard against the risk of departing employees misappropriating confidential information. In addition, we utilize our knowledge gained from this experience to screen inbound employees and identify risk from the outset. Our solution consists of the following:

- **Phased analysis** — This includes a quick turn, lower-cost layer for certain objective evidence (e.g., indicia a computer has been reformatted) and a deeper and more comprehensive second layer as matters require.
- **Standardized reporting** — We empower stakeholders to more easily understand forensic results via repeatable reporting that summarizes key findings in a clear manner. Standardized reporting also drives effectiveness and efficiency where multiple outside counsel firms are engaged on different matters.
- **High-quality testimony** — We support our analysis and consulting results with high-quality written and oral testimony, based on years of experience.
- **Fixed pricing** — We also offer the ability to pay a flat rate for these types of investigations.

Summary

Lighthouse helps protect your most valuable assets by taking proactive measures to keep data within your walls where data has been compromised, and alerting you to the facts so you can mitigate the risk associated with departing/onboarding employees.

About Lighthouse

Lighthouse simplifies the complexities of ediscovery and information governance by the use of our intuitive technology solutions and comprehensive service offerings. Through our best-in-class expertise, Lighthouse stands apart as a leader in industry best practices and workflows. Our proactive, high-touch approach has enabled us to build enduring partnerships with the most respected corporations and law firms around the globe. For more information, visit lighthouseglobal.com.

Contact us to find out what Lighthouse can do for your business.

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