



## SERVICES FOR EMPLOYMENT LAW and LITIGATION

In today's business environment, an organization's intellectual assets are of prime import. Business plans, customer info, and core products or services form an intellectual asset base that drives company value. Whether in digital format or the heads of employees, such sensitive information is difficult to control, creating the need for restrictive covenants and other forms of legal protection.



Today's biggest security challenge arises from the relative portability of these assets in the hands of executives, managers and key talent when they leave an organization, voluntarily or involuntarily. The transfer of these assets to competitors and start-up businesses directly impacts company value, making this a realistic concern in today's competitive marketplace.

*The Intelligence Group* provides attorneys and their clients with the skills and support to mitigate these risks. We provide pro-active services to help secure these assets, and provide assistance when responding to a potential loss. We assist litigators by developing evidence as part of the internal investigations team, be it a theft of intellectual assets or identifying evidence of recruiting, competing or related violations of restrictive covenants.

### **Taking Action to Protect Business Value**

While the portability of information in electronic form presents new security challenges, it also provides investigative opportunity, as its movements can be traced and its "fingerprints" recovered. It is changing the way we secure our assets, and how we litigate our disputes. *Computer Forensics* – the investigative science of recovering even deleted data in a legally defensible manner for evidentiary purposes – has become an important integrated tool for successful investigation. As a leader in this field, we employ these modern techniques in a variety of service-based solutions:

#### **Post-Employment Security Measures**

Most organizations do not realize that an intellectual asset loss has occurred until after the fact. We offer a set of integrated services to pro-actively thwart this risk and, if realized, the response necessary to protect company value:

- Review and assessment of company procedures (HR, security, operations, etc.) regarding employee separation.
- Forensic imaging of computer assets assigned to key separating employees, immediately upon departure.
- Securing of forensic computer images allowing for the re-deployment of corporate assets while maintaining their evidentiary value, if later needed.

*Forensic computer images*, different than back-ups made by IT staff, can provide legally-defensible evidence including deleted data, documents and communications. Obtaining and securing images at the time departure ensures that potential evidence is not inadvertently compromised.

#### **Forensic Investigation**

When loss or malfeasance is suspected, *The Intelligence Group's* team of forensic investigators can act quickly to ensure that further damage will be minimized and forensic evidence of wrongdoing is not inadvertently compromised or destroyed. Our response services include:

- Forensic examination of computers and digital media to secure key evidence. We recover data from PCs, laptops, PDAs, network servers, CDs and other media – whether in the workplace, home or our state-of-the-art forensic lab.
- Investigation of e-mail, network and security records, a must for developing evidence of communications or a history of accessing key information.
- Investigating the source of electronic messages or web postings.

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## Forensic Investigation (cont'd.)

- Investigating hacks, intrusions, viruses and other forms of vandalism or theft.
- Support of legal counsel for litigation – evidence preservation, analysis, investigation and expert testimony.

We respond 24/7, and are often deployed swiftly to triage an incident and take steps to curb loss. Longer term, we assist counsel in taking the necessary steps to protect company value.

## Investigative Support Services

The Intelligence Group also offers a full suite of investigative services to support the needs of attorneys conducting internal and external investigations.

- Witness interview and background investigation.
- Forensic accounting and financial investigation.
- Field investigation, surveillance, undercover work and other covert assignments.

We have extensive experience with sensitive, confidential assignments conducted within business settings, and the know-how to develop information without impact to the routine course of business.

## Litigation Intelligence

The development of sound intelligence - developing litigant's backgrounds, vetting witnesses and experts, evaluating litigation histories for factual evidence and strategy, and vetting the factual basis of a claim - can be the keystone of any successful litigation. The ability to develop factual, sound intelligence early on in a litigation setting provides the user with a distinct advantage in managing and ultimately resolving the issue at hand. We utilize state-of-the-art investigative research techniques and methodologies to assist litigators in developing the facts.

**We look forward to assisting with your specific needs. For a confidential consultation or more information, please contact:**

## Secure Drive-Wiping Services

Ideal for sales agent turnover and equipment decommissioning to ensure that confidential information is destroyed. Simple "reformatting" of computer hard drives as typically performed by IT staff does not destroy the data on a drive. Those with sensitive data, corporate governance concerns, or compliance responsibilities such as HIPAA need to take steps to ensure that electronic information can not be viewed or recaptured from donated or re-commissioned computer assets. The Intelligence Group's Secure Drive-Wiping Service ensures that sensitive data can not be accessed by subsequent users, and provides you with a *Certificate of Destruction* for compliance record-keeping.

## Pre-Employment Services

Hiring the right employees in the first place can prevent future problems. Employees in sensitive areas including product development, purchasing and sales are candidates for enhanced background screening due to their access to confidential information such as customer lists and product trade secrets, and their ability to commit the business to financial obligations. The Intelligence Group's pre-employment screening programs are geared to the appropriate discipline and hiring level, providing assurances that employees that will have access to sensitive areas of the company do not have questionable backgrounds. Many pre-employment screening programs in use today are not thorough enough to do the job. We design company programs, and provide background screening and verification services regarding employees, contractors, vendors and joint venture partners.

## The Intelligence Group Team

The Intelligence Group is a New Jersey-based firm with offices and affiliates nationwide. Our staff includes former law enforcement and legal professionals, investigators, security specialists, investigative researchers and Certified Fraud Examiners. Our team of forensic computer experts is certified by the International Association of Computer Investigative Specialists (IACIS) in the areas of Forensic Computer Examination and Electronic Evidence Collection. In addition, we maintain a state of the art computer forensic lab with the full range of investigative, electronic discovery, data recovery and secure data vault capabilities.