Sample ESI Interrogatories

PLEASE NOTE: NO TWO MATTERS ARE THE SAME. THESE SAMPLE INTERROGATORIES CONTAIN LANGUAGE THAT YOU MAY FREELY USE IN DRAFTING YOUR INTERROGATORIES. THESE SAMPLE INTERROGATORIES MAY NOT CONSTITUTE THE ENTIRETY OF WHAT MAY BE REQUIRED TO ENSURE PROPER ESI DISCOVERY OR PRESERVATION. IT IS ALWAYS ADVISABLE TO CONSULT WITH AN ESI EXPERT PRIOR TO TRANSMITTING ESI INTERROGATORIES.

The following interrogatories should be answered in as complete a fashion as possible. In instances where an interrogatory is not applicable, a detailed explanation of why that interrogatory is not applicable is required.

1. Policies and Procedures
    a. Please provide any and all written policies for the preservation or retention of electronically stored information within the organization.
    b. Please provide details regarding any electronically stored information preserved pursuant to this matter.
    c. Please provide any and all written policies for the destruction of electronically stored information within the organization.
    d. Please provide details regarding any electronically stored information destroyed or allowed to be overwritten or destroyed, even if backed up to a different location prior to overwriting or destruction, during the time period of _____ to _____.
    e. Please provide any and all written policies for the backing up of electronically stored information within the organization
    f. Please provide the names and contact information for any personnel responsible for creating, overseeing or implementing the policies referenced in interrogatories 1.a, 1.c and 1.e.
    g. Please provide any Information Technology policies provided to employees including, but not limited to, Internet Acceptable Use policies, Social Media policies and Information Dissemination policies.

2. I.T. Personnel
    a. Please provide the names, contact information and job duties for all Information Technology employees, 3rd party vendors and contractors who performed work on behalf of the organization during the time period of _____ to _____.
    b. Please provide the names, contact information and job duties for all Information Technology employees, 3rd party vendors and contractors tasked with preventing spoliation of data in this matter.

3. Network
    a. Please provide details regarding any linkages of computers, computer systems, data storage devices, shared resources or other network components. Please specifically address the ability of a computer user or system to share data with one or more other

computer users or systems. Please include lists of users and their network permissions with access to any and all network shared locations used for data storage or transfer.

    b.   Please provide any and all network topology maps, graphical representations of any network structure and documents detailing any changes made to these systems during the period of _____ to _____.

    c.   Please provide any and all network passwords used by the following individuals during the period of _____ to _____.

        i.   [Relevant Individuals List]

4. Backups

    a.   Please provide details of any and all backup schemas used within the organization, whether performed by the organization, 3rd party vendors or contractors including types and brands of backup software used.

    b.   Please provide the physical locations of any and all backups that currently exist and a description of the media they reside on.

    c.   Please provide the network path of any and all backups that currently exist.

    d.   Please provide the brand and model number of any and all devices used to create, manage or store data backups during the period of _____ to _____.

    e.   Please provide the physical locations of all devices referenced in interrogatory 4.d.

5. Hardware

    a.   Please provide a list of all computer equipment, including desktop computers, laptop computers, tablet devices, cellular telephones capable of sending and receiving email, text or other messages and any other portable or non portable electronic device capable of sending, receiving or transmitting electronic data used by the following individuals during the period of _____ to _____.

        i.   [Relevant Individuals List]

    b.   Please provide documentation of any changes to the above mentioned hardware during the period of _____ to _____ including changes, additions and removals of computers, hardware components such as hard disk drive as well as changes to installed software including version upgrades and software additions and removals.

    c.   Please provide the current locations of any computer or computer hard disk drives removed from service during the period of _____ to _____ and a description of the computer's purpose and assigned user.

6. Loose Media

    a.   Please provide any and all written policies regarding the use of removable media, including, but not limited to, USB/Firewire drives, flash drives, memory cards and CDs/DVDs with computers or electronic devices maintained or overseen by the organization.

    b.   Please provide a detailed list, including current location, of any and all items of removable media used with computers or electronic devices maintained or overseen by the organization by the following individuals during the period of _____ to _____.

        i.   [Relevant Individuals List]

7. Software
    a. Please provide the names and versions of any and all software programs installed on the computers listed in interrogatory 5.a.
    b. Please provide any and all passwords required to access any data on the computers or devices listed in interrogatory 5.a and 6.a.
    c. Please provide a usable copy of any and all proprietary (not currently commercially available) software required to view any data on any of the computers listed in interrogatory 5.a.

8. Email
    a. Please provide a detailed description of any and all email systems used by the organization including but not limited to, servers, workstations, storage devices and backup locations during the period of _____ to _____.
    b. Please provide a complete list of users for the email system described in interrogatory 8.a during the period of _____ to _____.
    c. Please provide the location of each user's data file(s) for the accounts listed in interrogatory 8.b.
    d. Please provide any information regarding encryption used for any of the accounts described in interrogatory 8.b. This listing shall include security keys, passwords and names and versions of any encryption software or other software that would prevent a user outside the organization from clearly viewing the contents of any data file described in interrogatory 8.c.
    e. Please provide a list of email users who have or possibly have in their email data files emails related to this matter.
    f. Please provide any and all policies of the organization related to the archiving, preserving, backing up or destruction of email communications or email data files or their contents on the organization's email system.
    g. Please provide a complete listing of any and all physical devices that are capable of sending or receiving email through, or on behalf of, the organization for each of the following individuals. This list shall include desktop and portable computers (whether owned by the organization or not) as well as portable devices such as cellular telephones, tablet computers and other devices capable of sending or receiving emails.
        i. [Relevant Individuals List]
    h. For any individuals listed in interrogatory 8.g.i who are no longer employed by the organization, please provide details on the current state of the former employee's email data file and how it came to be in its current state if that state is other than as a live active file in its original location.

9. Cloud Storage/Internet Storage
    a. Please provide a complete list of all cloud storage accounts used to include those used for backup and data redundancy, archiving, photo storage, music storage, video storage, general file storage, note or web clipping storage or any other data storage designed to synchronize via the internet or other network synchronization service.
    b. Please provide the total data size of the files stored in each account described in interrogatory 9.a.
    c. Please provide the username and password required to access each account described in interrogatory 9.a.

d. For each account described in interrogatory 9.a, please provide a complete list of all electronic devices that have been authorized to have access to the cloud storage account.

10. Other

a. Please provide any further information that would assist in the discovery of relevant data as it pertains to this matter.