

CUSTOMER PROFILE



EMC Consulting helps the leader in low-power programmable logic improve compliance— with standardized litigation response protocol, e-discovery, and records management

As the need for greener solutions in telecommunications, medical, aerospace, electronics, and other industries grows, so does the demand for Actel's power-efficient FPGAs (field-programmable gate arrays).

FPGAs are semiconductors that can be "field programmed" by users, after manufacturing, to perform specific functions. Actel's anti-fuse and flash-based product families are programmable, yet non-volatile, with many commercial, industrial, and military uses.

As the leader in low-power and mixed-signal FPGAs, Actel's mission is to empower its customers' products and applications while reducing power consumption at both the chip and system level. In support of this mission, Actel's IT and legal organizations work to keep the infrastructure and services that Actel's business depends on as resilient, secure, and cost-efficient as possible. Recently, Actel launched an initiative to improve the company's litigation response, legal discovery, and records management policies and procedures.

Reducing the cost, risk, and effort of litigation response

"Our litigation response was a manual, labor-intensive process," says Dave Van de Hey, General Counsel. "People were working hard to get tasks done, but processes were ad hoc, reactive, and not properly documented. We knew we needed a more automated, standardized, and repeatable process."

To better prepare for and manage the growing cost, risk, and effort of litigation response, particularly the discovery of electronic records, Actel wanted to build an enterprise-wide, integrated, and standard litigation response protocol.

Actel engaged EMC® Consulting to help assess their requirements and develop a strategy to closely link policies, processes, organization, data, and technologies across the organization. Objectives included reducing the risk, liability, and resources required for litigation response; compliance with legal, corporate, and regulatory requirements; the ability to automate e-discovery across multiple types of files in multiple locations, including electronic vaults; and the development of standardized, enterprise-wide records management policies and procedures for information retention, retrieval, and purge.

Understanding business, legal, and IT requirements

Actel had long used EMC hardware, software, and implementation services for information lifecycle management and backup, recovery, and archiving. More recently, Actel had engaged EMC Consulting Services to perform a security assessment to review its policies and approach to content management.

In addition to uncovering vulnerabilities and recommending ways to help Actel reduce security risks, the engagement built credibility for EMC's compliance expertise with Actel's legal team.

“The EMC consultants demonstrated a deep knowledge and expertise of security and compliance topics,” says Van de Hey. EMC’s positive relationship with both IT and legal made it a logical partner to help Actel improve its enterprise litigation response, e-discovery, and records management procedures.

“To develop and execute a better litigation response strategy, we knew we had to start with a common understanding of the requirements and the business, legal, and technical implications,” says Van de Hey. “EMC consultants understand the business and legal aspects of compliance and discovery and are able to tie these aspects to the underlying technology and system requirements.”

Getting to best practices

Legal and technical consultants from EMC’s compliance and e-discovery practice took a holistic approach to optimizing and standardizing Actel’s litigation response, e-discovery, and records management practices.

They reviewed Actel’s existing processes for litigation response and legal discovery across hard copy, voice mail, and e-mail files in both laptop/desktop images and on network-attached share drives. They also worked closely with Actel’s Office of General Counsel (OGC), its records management staff, IT, and business organizations to review the company’s records management practices.

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Dave Van de Hey, General Counsel, Actel

EMC identified, analyzed, and prioritized gaps and made recommendations for addressing them based on EMC and industry best practices. Deliverables included:

- A written, standardized litigation response protocol (LRP) for Actel’s General Counsel, legal investigators, IT staff, and other relevant personnel to follow upon receipt of any discovery request, preservation order, or other legal request
- A detailed, vendor-neutral description of the underlying infrastructure, tools, and process capabilities Actel needed to deliver services in support of legal requirements
- A systematic process for manually identifying and collecting information until automated e-discovery technologies could be evaluated and a solution implemented
- Comprehensive, documented, enterprise-wide records management policy recommendations for meeting compliance and cross-functional requirements with defined key performance indicators (KPIs)
- Phased roadmaps including a high-level timeline for achieving objectives

“EMC began with thorough understanding of our current environment and then helped us align our business and legal requirements with the right technology and best practices,” says Dave Van de Hey.

The benefits of a collaborative, cross-functional approach

Representatives from organizations across Actel were actively involved in all aspects of the project, giving input, evaluating findings, and providing feedback.

“Even with the large number of players that needed to work on this initiative, the EMC consultants were able to bring together the right teams at the right time and have everyone work together on defining and executing the solution,” says Bryon Darner, Senior IT Manager.

“Another benefit of EMC’s collaborative, cross-functional approach was that it provided the basis for knowledge transfer. All team members fully understood the issues, compliance requirements, and e-discovery process,” says Darner.

EMC also provided one-on-one training for the process owner, along with cross-functional guidelines for maintaining and executing the process and recommendations for managing the program long term.

“EMC’s approach and knowledge transfer process ensured that Actel team members were able to take over the program when the engagement was complete,” states Dave Van de Hey.

Roadmap for success

As a result of its EMC litigation response, e-discovery, and records management engagements, Actel has been able to improve its enterprise compliance, better manage risk, and reduce the resources that would be required for litigation response.

“We are very satisfied with the results,” says Van de Hey. “Not only did EMC Consulting help us build the tactical and executable pieces of our litigation response protocol, but they also helped us develop a long-term plan to ensure that our IT and legal organizations have the complementary capabilities they need for success.”

“Actel now has a standard, repeatable litigation response process that can be executed whenever we need it,” concludes Van de Hey. “We have a strategy to automate e-discovery and records management across the enterprise and a roadmap for success.”



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