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### Review: SafeCopy 2.1 Mobile

By Bruce A. Olson

#### TechnoScore: 4.8

1 = Lowest Possible Score; 5 = Highest Possible Score

[www.pinpointlabs.com](http://www.pinpointlabs.com)

#### INTRODUCTION

As trial lawyers we now wrangle with eDiscovery and the collection, review, and use of electronically stored information (ESI). Not all of us represent Fortune 50 companies or international banking operations, so the use of the expensive “big boys” in the eDiscovery space is frequently not warranted. In my own practice I’m much more likely to encounter a client who wants to find out if any incriminating emails exist on the Exchange Server or any documents on the work computer left behind by a departed employee.

Due to fears of spoliation, we know we can’t just boot up a PC and start poking around, copying files that look interesting by drag and drop. However, not all situations call for the retention of an eDiscovery vendor or a computer forensic expert. Likewise, when called upon to produce ESI, particularly in cases in which the attorneys agree on the limitations of what to produce, there is still a need to copy information in a way that creates a record that you have in fact produced verifiably accurate copies of the requested ESI.

Above all else is the need to engage in the above as cost effectively as possible, particularly on smaller cases where the cost of eDiscovery may exceed the amount in controversy.

SafeCopy 2.1 Mobile by Pivotal Guidance is an inexpensive tool that may enable you or your client to accomplish these tasks. SafeCopy is not, however, intended to be a forensic application that can create a forensic image of a drive.

#### FEATURES

The distinguishing feature of the Mobile version of SafeCopy 2.1 is that it must be installed on a U3 compatible USB device. Once you have loaded it on such a device, you can move the device from computer to computer without the need to install the software on the source computer. Paired with an external hard drive to use as the target source for the copied files, you have all the tools you need to safely copy information without the fear of altering metadata on the source computer or server. I downloaded the software from Pinpoint’s Web site, and then installed it on my U3 thumb drive in about five minutes without a hitch. It has worked problem-free ever since.

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Once attached to a computer, the program is launched from the thumb drive. A simple interface opens that is very intuitive to use. Click on the Add Source button for either folders or individual files, browse to the folders or files you want to copy, then click on the Add button and you’re all set. You have the option of creating full path and root folder information on your log files should you desire.

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Next select a job target path by browsing to the drive where you intend to store the files. This would typically be the external drive you've brought along to store the copied ESI. By default the log file path will be the same location, although you can change this if you want.

Logging options are a key part of the successful use of SafeCopy 2.1 Mobile. You have the option to create a log of the files copied from the source to the destination. You also have the option to hash both the source and destination files. This is the key to generating a report that verifies you have accurately produced copies of the selected source files.

You can use the Pinpoint SafeCopy engine, or you have an option to use Robocopy. If you select Robocopy you have a list of available options to define the information to be copied. I used the SafeCopy engine in my testing to avoid the potential of making an ill-informed choice in what I wanted copied. The copying process is also faster when you use the SafeCopy engine.

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For roughly \$200 you can now purchase a tool that will help you deal effectively with basic collection, review, and production of ESI.

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Recent improvements to the program now enable you to filter what you copy by file extension. Thus, if you are only interested in Word documents, set the filter and you won't copy unwanted files that reside in the same folder. This can obviously speed up the copying process.

Another new feature is the ability to select files to copy from a list. A list can be any text file (e.g., .txt, .csv, .log) that can be loaded by selecting the Add List button and browsing to the file list location.

Once you've made your selections, hit run and the copy process begins. In the event a disruption occurs, SafeCopy has a resume function that begins the copy process where it left off at the time of

disruption. Thus, you don't have to spend the time starting over from scratch. This can be a significant timesaver depending on the amount of information that is being copied.

Assuming you have selected the option to create a log, you can import the .csv file that is created into Excel, then generate a written report. The report lists information for each file copied, giving the date and time the copy occurred, the source path, the source created date, the source modified date, the source accessed date, the source MD5 hash value, and the same information on the same line of the report for the destination files. This enables you to compare hash values and confirm that you've made an accurate copy.

#### **A FEW WORDS OF CAUTION**

One caveat identified in the help files relates to copying from an NTFS formatted drive to a FAT 32 drive, or vice versa. Given the nature of the different formats some information may not be copied, or a default value may be generated that is not accurate. Refer to the help files for specific details.

You should also understand that because a write blocker is not part of the process, you are not creating a forensic image of the drive when the files are copied. SafeCopy is not intended as a substitute for more sophisticated forensic imaging software where forensic preservation is an issue.

Another negative that relates more to the process than the program is that once you have safely copied the information to an external drive, as soon as you look at the files you will begin to modify access dates. You can deal with this by making the external drive "read only."

Alternatively you can load the copied files into a litigation support program that supports eDiscovery, and then look at the information in the litigation support program. At the time the information is loaded, the metadata information should be loaded without modification and you can then look at the associated spreadsheet information in the litigation support program to review timestamp information accurately.

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## WISH LIST

A great enhancement to the program would be the inclusion of some sort of optional toggle that could convert the external drive to read only, or perhaps create an accurate second copy that is read only. Not everyone uses or necessarily needs a full blown litigation support program if they deal with small volumes of information. Nevertheless, they want to view the information on their computers without the operating system on the reviewer's computer changing dates. I'm not a software designer so I don't know how feasible this is, but it's something I hope Pivotal Guidance will consider.

## TRAINING AND LEARNING THE PROGRAM

The help files really are enough to train you on the use of the program, particularly with its simple interface. However, tech support by phone, live chat, or email is available to help you with any questions or concerns.

## CONCLUSION: THE BOTTOM LINE

For roughly \$200 you can now purchase a tool that will help you deal effectively with basic collection, review, and production of ESI. Whether you as the attorney go to the client site to copy information, have your IT or Lit Support do it, or simply provide the mobile USB U3 drive to your client's IT department, you can now begin to deal with the collection of ESI in a very cost effective way. Logging the collection information, particularly with hash values included, gives you a method to prove the accuracy of the information provided.

Although you can use SafeCopy 2.1 to copy large volumes of information, for many of us it is the smaller cases that are the most challenging given the cost of eDiscovery as compared to the amount in controversy. SafeCopy offers a cost effective option that fills a needed niche and, from my perspective, it deserves a TechnoScore of 4.8.

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## ABOUT THE AUTHOR

Bruce A. Olson, is a shareholder in the Milwaukee based law firm of [Davis & Kuelthau, S.C.](#) A trial attorney and nationally recognized legal technologist focusing primarily on the areas of electronic discovery and litigation technology, Olson is AV rated and Board Certified by the National Board of Trial Advocacy. He is co-author of "The Electronic Evidence and Discovery Handbook: Forms, Checklists and Guidelines," published by the American Bar Association. He received the prestigious "TechnoLawyer of the Year 2002", from the TechnoLawyer Community, and was Chair of ABA TECHSHOW 2004, Vice Chair of ABA TECHSHOW 2003, and served on the TECHSHOW Board of Directors from 2000-2004.

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