

Hoffer, Mark

From: Schiano, Frank
Sent: Friday, October 29, 2004 2:10 PM
To: Hoffer, Mark
Subject: FW: Technology survey in connection with World Trade Center litigation - ATTORNEY WORK PRODUCT
Importance: High

FYI

-----Original Message-----

From: McMaster, Cecil
Sent: Friday, October 29, 2004 12:36 PM
To: 'BLieberm@law.nyc.gov'
Cc: Schiano, Frank
Subject: FW: Technology survey in connection with World Trade Center litigation
Importance: High

ⓕ WORLD TRADE
CENTER -
PRESERVATION OF
EVIDENCE
←

Hi Brian;

Attached please find the survey and answers I promise a week
send it to but can forward it to the others in the group.

to

Cecil McMaster DEP OIT

From: Thompson, Chuck
Sent: Tuesday, October 19, 2004 2:29 PM
To: McMaster, Cecil
Subject: FW: Technology survey in connection with World Trade Center litigation - ATTORNEY WORK PRODUCT
Importance: High

I filled it out to the best of my knowledge

From: McMaster, Cecil
Sent: Monday, October 18, 2004 2:29 PM
To: Thompson, Chuck
Subject: FW: Technology survey in connection with World Trade Center litigation - ATTORNEY WORK PRODUCT
Importance: High

Hi Chuck,
Just a follow up, I would like to send the questionnaire I gave you on Friday back ASAP. Attached is an
electronic version.
Make sure I get the report from the server farm.
cecil

From: Schiano, Frank
Sent: Friday, October 15, 2004 3:19 PM
To: McMaster, Cecil

11/1/2004

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Importance: High

FYI and use.

-----Original Message-----

From: Lieberman, Brian [mailto:BLieberm@law.nyc.gov]

Sent: Friday, October 15, 2004 3:12 PM

To: 'fschiano@dep.nyc.gov'

Cc: Mittenenthal, James

Subject: FW: Technology survey in connection with World Trade Center litigation - ATTORNEY WORK PRODUCT

Importance: High

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Frank: As I promised Cecil, here's an electronic copy of the IT survey for him to fill out. Please tell him to contact me or Jim Mittenenthal, whose number is listed below, if he has any questions. Cecil had indicated that he thought he would be able to finish the form by Wed. or Thurs. of next week. If he thinks it might require more time, could he let us know. We'll also speak with him about overall IT coordination with the individual sub-units.

I also wanted to let you know that I scheduled an interview with the First Deputy Commissioner for Nov. 4, at 2:00 pm. I contacted the Chief of Staff as well. Ms. Grob's assistant indicated that she would like some background material prior to scheduling a meeting with us. I wanted to know if you minded me e-mailing Ms. Grob some material directly, or if you preferred to discuss the evidence collection project with her directly.

Thanks, Brian

-----Original Message-----

From: Mittenenthal, James

Sent: Tuesday, October 12, 2004 12:26 PM

To: Lieberman, Brian

Subject: FW: Technology survey in connection with World Trade Center litigation - ATTORNEY WORK PRODUCT

-----Original Message-----

From: Mittenenthal, James

Sent: Wednesday, September 29, 2004 2:58 PM

To: 'rcucinotta@dep.nyc.gov'

Subject: Technology survey in connection with World Trade Center litigation - ATTORNEY WORK PRODUCT

Hello Robert. I hope this finds you well. Despite our several meetings, we were never able to complete the DEP questionnaire that was sent to all agencies with whom we have met in connection with the electronic evidence in the City's response to the terrorist attacks of 9/11. We are just beginning a phase in which we examine DEP in detail and gather information and documentation from custodians. In that connection, we need to have a completed technology questionnaire as a baseline, which we have received from every other agency thus far. While I know you are busy, could I trouble you to complete the attached questionnaire and return it at your earliest convenience? Thank you.

Best regards,

Jim Mittenenthal

Consultant, New York City Law Department

11/1/2004

FW: Technology survey in connection with World Trade Center litigation - ATTORNEY WORK PRO... Page 3 of 3

(212) 788-0807
jmittent@law.nyc.gov

<<Electronic Evidence Questionnaire_DEP.doc>>

11/1/2004

NYC-WTC_000153940

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ATTORNEY-CLIENT COMMUNICATION
ATTORNEY WORK PRODUCT**

ELECTRONIC DISCOVERY QUESTIONNAIRE

DEP

I. Systems/Applications Currently Used

A. E-mail

What is/are your e-mail system(s) (Include both the e-mail client, back end repository, and versions for each.)? Microsoft Exchange 5.5 Server with Outlook 97 + Clients.

1. Is mail delivered and stored locally or kept in a central repository? Mostly on the Server but some clients are local.
2. Is an "offline mode" available for laptop users? If user configures it.
3. Does your e-mail system incorporate calendaring/scheduling; task lists; journaling; and contact management? Yes. It is a function of the server.
4. Where are attachments stored? Wherever the client is configured to store messages.
5. Can users create "personal" or "archive" folders? Yes
6. Are "public folders" available? Yes
7. What server or client-based rules may be in effect (such as out-of-office rules)? Users configures their own rules.
8. Does the e-mail system synchronize with any PDAs? Only locally. There are no Network Synchronization tools.
9. What purging or retention practices are in effect? As of now, 99 years.
10. What size limits are in effect? 10 meg.
11. How is remote access accomplished (e.g., remote control/Citrix, remote node, or Web-based)? None
12. What elements of the mail system are backed up? Info store and mailbox level backups.
13. Are documents transmitted using personal e-mail accounts (e.g., AOL, Earthlink, Yahoo, MSN, HotMail, etc.)? Not official documents.
14. What operating system ("OS") and hardware platforms does this run on? Windows 2000 on servers and a mix of win 9x, NT, 2000 and XP

15. Who is responsible for this system? Servers are run by OIT and Chuck Thompson is in charge of Operations for OIT.
 16. What are the data formats or file formats for the system? LTO2 Tapes
- B. Paper record tracking/document management/shared drives
1. What is/are the applications being used if any? N/A
 2. What OS and hardware platforms does this run on?
 3. Who is responsible for this system?
 4. What are the data or file formats for these systems/applications?
- C. Purchasing
1. What is/are the purchasing system being used? FMS run by FISA
 2. What OS and hardware platforms does this run on? Client server based
 3. Who is responsible for this system? FISA
 4. What are the data formats for the information? N/A
- D. Agency specific transactions/permits/applications
1. What is/are the applications being used if any? N/A
 2. What OS and hardware platforms does this run on?
 3. Who is responsible for this system?
 4. What are the data or file formats for these systems/applications?
- E. Budgets
1. What is/are these applications? FMS
 2. What OS and hardware platforms does this run on? Client Server
 3. Who is responsible for this system? FISA
 4. What are the data or file formats for these systems/applications? N/A
- F. Time keeping/employee hours
1. What is/are these applications? Charms
 2. What OS and hardware platforms does this run on? Mainframe
 3. Who is responsible for this system? DOITT / HR / OMB

4. What are the data or file formats for these systems/applications? N/A

G. Equipment/asset tracking

1. What is/are these applications? Trackit
2. What OS and hardware platforms does this run on? Windows 2000
3. Who is responsible for this system? Chuck Thompson
4. What are the data or file formats for these systems/applications? SQL DB
5. What labeling conventions are used for equipment tracking? BarCode
6. How are upgrades, reassignments, and departed employees tracked? N/A
7. Are computers "imaged" when deployed or re-deployed? If so, when and how? No.

H. Other (examples: document/work product management, word processing, spreadsheet, presentation, project management, macro libraries, scheduling/calendaring, task management, contact management, etc.)

1. What is/are these applications? Agency standard is Microsoft Applications
2. What OS and hardware platforms does this run on? Windows
3. Who is responsible for this system?
4. What are the data or file formats for these systems/applications ?

I. Are any of the above proprietary?

1. Which ones? No

J. Were any systems/applications customized for particular agency purposes?

1. Which ones?

K. Are there any systems that have been retired since September 11, 2001?

1. Have any legacy systems been retired since September 11, 2001? Not to my knowledge.

L. Are any of these systems located or hosted at DoITT?

1. If yes, which ones?

M. Is an intranet in use that users may submit content to? Where is it hosted or maintained? Not at this time.

II. Network/PC's/Laptops/Other

A. System used for the network server

1. What network platforms do you run? Ethernet 10bT
2. Who is responsible for this system? Keino Leitch

3. What standard/custom drive mappings and other settings are established by login scripts or other processes? None
 4. What applications are located on the file server? Which are located on local workstations?
- B. Is the network centralized?
1. If decentralized, where are these networks located? DEP has a flat network
 2. How many separate networks does the agency run? Only one.

- C. Does the agency have any proxy servers?
 - 1. Is yes, where are they located?
 - 2. What OS and hardware platforms are they running on?
- D. Does the agency have any antivirus gateway servers?
 - 1. Is yes, where are they located?
 - 2. What OS and hardware platforms are they running on?
 - 3. What system are you running?
 - 4. Are the quarantined and/or other remnant files kept? If so, what is the retention time frame for such files?
- E. Does the agency have any voice mail servers?
 - 1. Is yes, where are they located?
 - 2. What OS and hardware platform are they running on?
- F. Does the agency have a remote access system (i.e., Citrix Server)?
 - 1. If yes, where is it located?
 - 2. What OS and hardware platform is it running on?
 - 3. What system(s) is it?
 - 4. What applications can be access from it?
- G. Does the agency have any fax servers?
 - 1. Is yes, where are they located?
 - 2. What products and versions?
 - 3. Are they used for inbound, outbound, or both?
 - 4. What retention practices are in effect for fax images, both with respect to inbound and outbound?
 - 5. What OS and hardware platform are they running on?
- H. What type(s) of PC does the agency install?
 - 1. What OS platform(s) are installed (include Macintosh, Linux, etc.)?
 - 2. Who is responsible for PC configuration and the installation of PC?
 - 3. What is the typical configurations of these computers (e.g., hard drive sizes, removable / writeable drives, attached storage, etc.)?
 - 4. Are all agency PC connected to the network? If any are not, please identify those that are not and the function(s) they are used for in the agency?
 - 5. To what extent are home or other personal computers used to work on agency materials?
 - 6. Please describe how workstations may be restricted (e.g., policies to prevent icons from being created or the "Run" command from being executed).
 - 7. Is agency-related information stored or accessed on extranets or other systems that are Web-based or outside the agency's infrastructure?

- I. What type(s) of Laptops does the agency have installed?
 1. What OS platform(s) are installed?
 2. Who is responsible for laptop configuration and for installation of laptops?
 3. What is the typical configurations of these computers (e.g., hard drive sizes, removable / writeable drives, attached storage, etc.)?
 4. Are all agency laptops connected to the network? If any are not, please identify those that are not and the function(s) that they are used for in the agency?
- J. Are there any other mobile systems that the agency is responsible for providing or configuring (i.e. phones, PDA's etc.)?
 1. If there are such mobile systems, please list each one?
 2. Who is responsible for administering or distributing each system?
- K. Of any of the systems listed in I & II above, are there access and/or transaction logs that are retained and readily available (these would include physical access, network access, application access, communications access, database access, file-level access)?
- L. Describe the use and content of floppies, writeable CD-ROMs, Zip disks, Jaz, cartridges, and other third party storage solutions. Are they labeled in a standard way?
- M. Describe the use and content of external storage devices (e.g, portable USB-based storage, USB, PCMCIA, or FireWire-based pluggable drives or backup devices).
- N. To what extent are these systems in use by users or MIS staff?

III. Back-up.

- A. What is the agency's back up policy/procedure for each of the following:
 1. Mail
 2. Network server/shared drive for documents and spreadsheets
 3. Paper record tracking/document management
 4. Agency specific transactions/permits/applications
 5. Budgets
 6. Timekeeping/employee hours
 7. Equipment tracking
 8. Other
- B. What back-up solution does the agency use for any/all of the systems previously listed (include the version)?
- C. Describe the rotation schedule, methodology (e.g., full vs. incremental), treatment of open files, type of operator intervention, and storage locations (e.g., offsite facility, central location).
- D. What OS and hardware platform is it run on?
- E. Does the agency conduct its own back ups?
 1. If not, who administers your back-up?
- F. What media is the back-up on?

- G. Are the documents that are currently on hard drives backed up?
- H. Are documents currently on hard drives easily retrievable?
- I. Website
 - 1. Does your agency have a website?
 - 2. Who manages it?
 - 3. What is the back up policy for the website?
- J. Provide all official and unofficial written policies/procedures regarding the back up of data since September 11, 2001.

IV. Retention

- A. What is the agency's retention policy/procedure for each of the following:
 - 1. E-mail
 - 2. Network server/shared drive for documents and spreadsheets
 - 3. Paper record tracking/document management
 - 4. Agency specific transactions/permits/applications
 - 5. Budgets
 - 6. Timekeeping/employee hours
 - 7. Equipment tracking
 - 8. Other
- B. Has the agency's retention policies/procedures changed at any time since September 11, 2001?
 - 1. How did they change?
 - 2. When did they change?
 - 3. Have the retention policies/procedures changed since receipt of Michael Cardozo's June 25, 2003 letter regarding the preservation of electronic evidence?
 - a. How did the policies/procedures change?
- C. If the policies/procedures have been amended since September 11, 2001, what happened to the data from the old system?
- D. What has happened to the data on hard drives from computers that have been replaced?
 - 1. What is done with the old hard drives?
 - a. Is the City copying the old hard drives?
 - b. Is the City storing the old hard drives?
 - 2. Is there a system in place that addresses the replacement of computers?
 - 3. Has the agency's policies/procedures changed at any time since September 11, 2001 with regard to data on hard drives from computers that have been replaced?
- E. What has been done with the hard drives of employees who have left the agency?
 - 1. Has the agency's policies/procedures changed at any time since September 11, 2001 with regard to hard drives of employees who have left the agency?

- F. Can individual hard drives be copied from a central location?
- G. Website
 - 1. Does the website have an email/comments function?
 - 2. If yes, are the questions/comments, and the agency's responses retained?
- H. Provide all official and unofficial written policies/procedures regarding the retention of data since September 11, 2001.

V. Archiving

- A. What is the agency's current policies/procedures with regard to archiving?
- B. Has the agency's archiving policies/procedures changed at any time since September 11, 2001?
 - 1. If yes, how have they changed?
 - 2. When did they change?
 - 3. Have the archiving policies/procedures changed since receipt of Michael Cardozo's June 25, 2003 letter regarding the preservation of electronic evidence?
 - a. How did the policies/procedures change?
- C. Describe how the systems and their data are archived.
- D. Where are the archives located?
- E. Are the archives easily accessible?
- F. If there are retired systems, have they been archived?
 - 1. If yes, are they accessible?
- G. Can you recall the information, if any, that has been lost or destroyed?
 - 1. What policies/procedures authorized the destruction of such information?
- H. Provide all official and unofficial written policies/procedures regarding the archiving of data since September 11, 2001.

VI. Policies & Procedures

- A. ~~Note: include any systems listed in DoITT "bible"~~

Please provide IT policies and procedures, including: usage policies (e.g., e-mail and Web browsing), hardware and software standards, physical sites supported, network topologies, security policies (including physical and network access), IT names and roles, application listings, disaster recovery procedures, systems and operations manuals, configuration guides, training materials, user documentation.

VII. Users and Inventory

- B. Please provide a list of current and past users who have accessed the system.
- C. Please provide a hardware inventory if available.

VIII. Employees who had a significant role on matters related to the September 11, 2001 terrorist attacks on the World Trade Center

- A. Bureaus/divisions/units involved in matters related to the September 11, 2001 terrorist attacks on the World Trade Center.
 - 1. Provide the name and title of the head and second in command of each bureau/division/unit.
- B. Provide a list of employees with a significant role on matters related to the September 11, 2001 terrorist attacks on the World Trade Center.
 - 1. Provide an extremely brief description of their role.
- C. Provide the agency's organizational chart in effect on September 11, 2001.