

DIGITAL FORENSICS EXPERTISE SAVES THE DAY

HIGHLIGHTS:

 Digital Forensics Analysis & Expert Witness

THE CHALLENGE

A well-established and historied law firm that specializes in insurance and medical defense needed a strong digital forensics firm to analyze an incident and act as an expert witness for their defendant. In addition to expertise, the law firm also wanted experts that would work closely and cooperatively with them to write summaries that were easy for the judge to understand. When trying to decide which incident response and digital forensics firm to use, the lead attorney shared: "A friend recommended LMG Security. I did a little research and they seemed like a perfect fit."

DIGGING INTO THE CASE

The work began with a conference call between LMG Security and its client, the lead defense attorney. The defense attorney's client was being sued for allegedly destroying files on a hard drive. LMG Security also spoke with the defense attorney's client to get additional background and ask questions about the alleged computer and incident.

The first thing LMG Security requested was the forensic disc image. The plaintiff's council fought the request and denied knowing about a forensic disc image. Ultimately, the plaintiff's council admitted that they could not create the forensic disc image because of the way their digital forensics examiner analyzed the hard drive.

With LMG Security's deep incident response expertise, the team was able to analyze the report and knew which areas to check and question even though they could not examine the forensic disc image of the machine. They found that the forensics capabilities and methodologies used by the first examiner were unsound, violated best practices, and compromised the evidence.



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Working with LMG Security exceeded my expectations. My advice for others is: don't be too prescriptive. Be collaborative. Plan to spend some time at the outset with the LMG Security team and have them brainstorm the technical side with you. They can help you think about it from unconventional perspectives and see different paths to get the best possible outcome for your client. Their collaborative approach helped win the case! – The Lead Defense Attorney

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Typically, a forensic image is used to make a bit-for-bit copy of the system, so the state of the machine is kept intact. Analysis can then be done on the forensic image without compromising evidence. Instead of making a forensic disc image, the initial forensic examiner searched the actual machine, went through the files manually, and pulled items off – altering the state of the machine and destroying the evidence. The first examiner even admits going through the metadata of files in the written report. "It was the equivalent of walking all over a crime scene and then touching things without gloves," stated Ari Apedaile, security consultant for LMG Security.

The LMG Security team concluded that even if they were able to obtain the original computer, there was no way anyone would be able to conduct a fair investigation and pull the artifacts needed to prove or disprove the allegations. The evidence was not properly preserved and had been thoroughly compromised. The LMG Security team shared their analysis and findings with their client.

THE NEW DIRECTION CLOSES THE CASE

Once the lead defense attorney heard the findings, he knew how to direct the case. The legal team and the LMG Security team worked cooperatively, jumping into action to prepare multiple rounds of court explanations and documents. It was important that the team prepare a report that clearly explained how the evidence was compromised in terms that the court could understand.

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LMG Security's request for the forensic disc image and then explaining the implications of the missing image were the key moves that got the whole claim dismissed. In addition to understanding the technical aspects of the case, they quickly crafted a clear and effective explanation that the court could understand – even during the height of the Coronavirus pandemic. They were also great about incorporating feedback into the reports so we could present clear, strong documents to the court. Working with LMG Security was a great experience! – The Lead Defense Attorney

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CONCLUSION

As an expert witness, LMG Security's impressive credentials as incident response experts, their knowledge of digital forensic best practices, and their ability to clearly communicate in terms the court could understand were crucial. The court agreed with the team's analysis, and the whole claim was dismissed. The defense attorney and his client were thrilled with the outcome and the ease of working with the LMG Security team.



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REFERRING A CLIENT

To refer a client to LMG Security, please email info@LMGsecurity.com

WE ARE HERE TO HELP

Please contact us any time you have a question or need additional support.

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