



*Excellence in  
IT Security & Investigations*

### **CASE STUDY 3: AN HR DIRECTOR'S, LEGAL TEAM, & CEO'S NIGHTMARE**

**INDUSTRY: FINANCIAL SERVICE AGENCY**

**POTENTIAL LOSS: \$550,000 AVG**

**CHALLENGE: SEXUAL HARRASSMENT & EEO RISKS**

**TIME TO RESOLVE: 4 DAYS**

**Background:** An anonymous complaint was filed with the HR Director of a financial service company alleging that the head of the IT Department was viewing pornographic web sites on his work computer in violation of corporate policy and that the activity offended many female employees who were aware of the images.

**Challenge:** Cyber Diligence was asked to conduct a confidential network forensic examination of "data in motion" over the corporate network and a computer forensic examination to determine if there was any data to substantiate or dispel the allegations. This case was extremely sensitive in nature and required substantial discretion in terms of the parties involved and the corporate branding/reputation of the organization. The possible involvement of an IT professional made it difficult for the client to rely on "insider" resources.

**Response:** As part of a "due diligence" exercise Cyber Diligence had previously installed a network collector at the financial institution to determine if intellectual property or confidential corporate data were the subjects of data theft or data leakage in terms of file attachments such as Word documents, spreadsheets or images placed on private email accounts from internet services such as AOL, Gmail, MSN, Yahoo, etc. The tools and software used by Cyber Diligence has the capabilities to capture, analyze, and replay in original format, the contents of all "data in motion" through a corporate network including the file attachments on any emails.

The client's Vice President of HR also insisted on an after-hours response, an on-site preview of the subject employee's work computer with an immediate assessment. If nothing was found the anonymous complaint could be resolved as unfounded with virtually no impact to the subject employee who was at a vice president level in the organization.

**Results:** Forensic tools used by Cyber Diligence found that the subject employee's computer used specialized software everyday that deleted images, the temporary internet files, browser history and Cookies on the computer. However, the same forensic tools used by the Cyber Diligence investigator uncovered more than 3,000 pornographic images. The computer was seized at the direction of the agency and the properly collected data was identified and preserves as credible evidence. The subject employee was confronted with the electronic discovery and promptly dealt with for violation of corporate policies. The specialized software used by Cyber Diligence to analyze and catalog data in motion flowing through the corporate network revealed IM chats, images, web sites visited and emails that were in violation of corporate compliance policies including policies in place to address EEO and sexual harassment issues. Training and individual counseling and disciplinary actions could be directed to specific individuals.

**Important Notes:** The EEOC reported that 95,400 discrimination charges were filed in 2008, and that through enforcement, mediation and litigation programs \$375 million was obtained on behalf of claimants. Jury Verdict Research reported in 2007 that the average employment litigation verdict award was nearly \$900,000 with an average settlement near \$550,000. In one \$54 million settlement of alleged sexual harassment, \$12 million was paid to the one plaintiff.

Cyber Diligence can deploy portable devices and software to capture, analyze and report on network internet usage to identify: possible data theft or data leakage, or EEO and other corporate compliance violations. Try our services for a day, a week, a month or longer to mitigate your risks.

## **ABOUT CYBER DILIGENCE, INC.**

Founded by Mr. Yalkin Demirkaya (NYPD Retired) Cyber Diligence is comprised of highly trained investigators who are world-recognized experts in information security (INFOSEC), Incident Response, Investigations and security management. Cyber Diligence Investigators are experienced criminal investigators who are also skilled at deploying sophisticated state-of-the-art tools to combat Information Technology crimes and to counter intrusions that compromise valuable corporate assets.

Cyber Diligence specializes in conducting highly sensitive covert internal investigations. Our expertise includes:

- Insider abuse detection
- Investigations into actual or suspected industrial espionage
- Electronic Discovery Services
- Litigation Support/Expert Testimony
- Incident Response
- Computer Forensics
- Network Forensics
- IT Security Assessments
- Intellectual Property Protection
- Malicious activities and other forms of misconduct or corporate compliance violations.
- Counter-Surveillance Services (Technical Surveillance Counter Measures)

Cyber Diligence is a licensed Private Investigations firm, whose investigative team members are former law enforcement investigators and commanders. They possess over 140 years of investigative experience and have successfully investigated many high level industrial espionage cases in the United States and abroad.

## **WHY CYBER DILIGENCE?**

1. We have the knowledge, skills and experience.
2. We have a state-of-the-art lab equipped with the latest computer and network forensic tools to tackle any cyber security incident. We attack the problem with the right tools.
3. We have a unique IT assessment methodology to assess an organization's IT security posture to protect against internal & external threats.
4. Qualified people with years of computer crime investigative experience ask qualified questions – we trust the answers, but we always verify.
5. We take a realistic approach to your business, understanding your culture to secure your business with common sense solutions.

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