

Press Release



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Data Empowerment Launches Subsidiary: Records Readiness Corporation

**As Wall Street Reels and Shareholder Suits Start Hitting, New
Records Readiness™ Corporation Offers Off-The-Shelf
Training Solution to Evidentiary Compliance Challenge**

Henderson Nevada, October 21, 2008: Recognizing the rapidly growing demand for corporate records compliance in the face of what is sure to be a tidal wave of new shareholder lawsuits and other legal actions taken against corporations, Data Empowerment Group (<http://www.dataempowerment.com>) has today announced the creation of a new subsidiary corporation, Records Readiness Corporation. Launched at the ARMA International's (<http://www.arma.org/>) 2008 Conference and Expo in Las Vegas, the Records Readiness Corporation – based in the emerging high-tech Henderson, Nevada corridor – is bringing to market a series of targeted records readiness compliance training programs – *Records Readiness Learning Series™* (RRLS) programs – for business, government and not-for-profit organizations.

“Our new RRLS program is focused on building and delivering online employee training to enable corporations to assure the readiness of their records to stand up to the compliance scrutiny that comes with virtually every legal dispute companies face,” CEO Thomas Utiger explained. Utiger is a records technology expert, as well as founder and CEO of both Data Empowerment

Group and its new Records Readiness Corporation subsidiary; he is also the author of *Records & Information Management Risk Assessment*.

“Because virtually every employee can create discoverable records – the courts now consider even emails, text messages and voice mail messages to be considered discoverable records – our training focuses on educating all employees to the vital importance of appropriate records management,” Utiger pointed out. “Traditionally, records management training has been limited to a corporation’s or organization’s RM specialists, but today it is also vital for front-line operational employees to ensure that all records they create are compliant with current discovery rules.”

The information management industry’s first-to-market compliance solution, the *Records Readiness Learning Series* of training programs, specifically addresses organizations’ critical need to enlist the participation and support of all employees. And while this may seem like one more costly burden placed on companies already scrambling to find the bottom line, Utiger is quick to point out that – when it comes to records management compliance – a great deal is now at stake. “Corporations’ email, text-message and voice mail message retention policies must be guided by – and in compliance with – the new *Federal Evidentiary Rules for Discovery*, (http://www.uscourts.gov/rules/EDiscovery_w_Notes.pdf),” he said. “These rules make it clear that the only safe corporate RIM solution is a comprehensive, legally defensible records management program. Penalties for non-compliance can be devastating, financially and operationally.”

With the launch of the *Records Readiness Learning Series*, the first effective marketplace response to compliance is now at hand. “Along with the creation of our subsidiary Records Readiness Corporation (<http://www.recordsreadiness.com>), Data Empowerment has created the first market-ready solution the huge, decisively-critical technological challenges facing corporations,” Utiger explained. “In helping clients achieve technical compliance, we’ve seen that the human factor may be even more important than these vital technology compliance solutions. As a result, we’ve created a blend of technology with the human element, our *Records Readiness Learning Series*.”

In today’s litigious society, there are few unexpected challenges that have greater potential consequences than a problem without a solution – and until Data Empowerment came up with a new approach to records management training, corporations faced with the challenge of complying with new Federal rules of Discovery have had no hope of being compliant.

Recent convulsions in Wall Street will only make matters worse. Whenever the market falls, drop in share value inevitably lead to a sharp uptick in stockholder lawsuits and other legal actions against corporations, and this unprecedented stock market drop is expected to lead to unprecedented numbers of new corporate lawsuits. When those suits hit the courts, these new Federal rules of Discovery will create a disaster-waiting-to-happen for companies which are not yet in compliance. Those firms with effective records management policies, supported by focused records readiness training programs, will have a defense against charges of non-compliance, while those firms without policies or effective training will be vulnerable to the kinds of sanctions that have already cost corporations millions – and at least in one case – billions of dollars in fines and non-compliance penalties.

“Not only is our new records management training program uncannily timely, it is also without precedent,” Utiger said. “Until our program rolled out, corporations had been faced with a problem-without-a-solution. This became an ever-more critical ‘sin of omission’ as America’s businesses confronted the daunting, high-stakes, high-risk field of records management compliance. Our “Records Readiness™” program, offered in the convenient Software-as-a-Service format, is the core product of our new Records Readiness Corporation, which was launched today at ARMA’s annual 2008 Conference and Expo. This new program, like this new corporation, is now in the marketplace.”

While – with the ongoing crisis on Wall Street – the problem of non-compliance has become an order of magnitude more dangerous than it was during the long-term bull market, the compliance problem has been on the horizon for two years. When one of America’s major multi-national banks got hit with a billion dollar judgment for violating evidentiary rules governing records management, businesses large and small began to wake up to the risk they faced. When corporate attorneys respond to discovery motions, they have to be ready to produce records they might not have even know to exist – including records controlled by third parties.

Then, when a rash of other multi-million dollar fines and judgments were levied over issues as simple as producing email messages – or proving that they’d been destroyed under an established records management policy – companies realized that this wasn’t a one-time problem or someone else’s problem. However, what continued to remain unclear – until now, with the advent of the Records Readiness Corporation and its innovative records management training program – was how companies could comply with seemingly impossible legal expectations for managing everything from traditional printed documents to emails, voice mails and text messages.

The situation is complicated for many banks, insurance companies and other financial institutions – as well as every corporation that has merged with or acquired other corporations – because these discoverable records had to be accessed across platforms ranging from legacy mainframe computer systems to hand-held and laptop computers, as well as the company’s central servers and any hosted services. For companies that had grown through mergers and acquisitions, and for companies that had provided key employees with significant personal equipment flexibility, the challenge of managing records seemed indeed impossible.

“The biggest challenge to implementing any rational records management system may not be solely technological,” Utiger said. “The human equation, which involves gaining compliance with all employees empowered to create records – and that means everyone who uses email, voice mail or even text messages – is perhaps the largest single corporate challenge. Employees don’t realize their own records management role, nor do they have a clue on how they contribute in positive or negative ways to the corporation’s overall compliance.”

The new *Records Readiness Learning Series* program was created to use technology to help address the human portion of this daunting challenge. This solution includes a series of sophisticated computer-based self-study training modules, aimed at key internal audiences ranging from board-level, C-level and senior executives to risk managers, line managers and front-line employees.

“Records Management varies widely from company to company, which lead our design of the *Records Readiness Learning Series* training system. It is designed from the ground up to be tailored for each organization,” Utiger said. “We’ve found that a clear indication of universal top-down commitment to RIM compliance helps ensure front-line buy-in; without that buy-in, day-to-day compliance is difficult to achieve.

“This sophisticated, yet easy-to-use self-study training program is designed for every employee creating records,” Utiger said. “These records include emails, voice mails and text message records. Initially, we have created 8 core modules which will ultimately have over twenty modules in place – including translations into other languages, designed as a group to meet the full range of corporate needs, from elementary to sophisticated and demanding compliance challenges.”

Records Readiness Corporation’s *Records Readiness Learning Series* embraces an enterprise-wide record management training concept. “This ensures that all levels of employees are, in effect, singing from the same hymnbook,” Utiger said. “For a company to achieve practical and legally-sound compliance, all employees must embrace and practice the company’s RIM policies and procedures. And, because our program is scalable by design, we can help both SMB clients and the largest Fortune 500 multi-national corporations achieve the same level of compliance protection in a controlled, cost-effective and ongoing program that doesn’t interfere with employees’ ability to “do business” on a day-to-day basis.”

Utiger, a widely-published Records & Information Management (RIM) expert and founder /CEO of both Data Empowerment Group and the new Records Readiness Corporation, holds several seminal pending patents in this fast-emerging field. He writes journal articles for banking, legal and technology trade publications, and conducts frequent C-level seminars on the importance – and the process – of RIM compliance in today’s litigious society.

About Data Empowerment Group

Data Empowerment Group (<http://www.dataempowerment.com>) – is a records and data management innovator and global provider of integrated enterprise content management (ECM) solutions. DEG specializes in filling functionality gaps in existing records management systems, as well as in solving records and data management challenges through its innovative content integration software and workshops. The Company’s programs work in collaboration with existing ECM platforms, enabling a fully integrated records and data management protocol that unifies client employee processes, increasing clients’ competitive edge by reducing operating costs and liability, and improving efficiency.

CEO Thomas Utiger holds several pending patents, and is the author of “*Records & Information Management Risk Assessment*” and a host of journal articles. He frequently speaks at conferences and seminars on Records & Information Management (RIM).

For more information, or to interview DEG’s CEO and Founder, Thomas Utiger, contact Ned Barnett – 702-696-1200 or ned@barnettmarcom.com.