



Records Production: The Process

The past ten years has seen the continual growth of Subsentio's record production service boasting a dedicated staff of analysts specializing in the review, validation, and response to warrants and subpoenas served upon our customers. Our team has now processed over 425,000 requests in a timely manner in conjunction with information privacy. Our thoroughly vetted process includes:

- Operational Assessment:** At customer's request, Subsentio will conduct a thorough assessment of Customer's operations and recommend appropriate policies and procedures for Customer to comply with lawful demands for subscriber records.
- Principal-Agent Relationship:** Subsentio will act as Customer's agent for purposes of responding to subpoenas, search warrants and court orders requesting the records of Customer's subscribers. To this end, Customer will appoint itself or Subsentio as the primary point of contact to the requesting parties.
- System Integration:** Subsentio will coordinate with Customer to implement automated access and data retrieval for required data sources for the fulfillment of legal process if appropriate. Dependent on volumes, we may set up a Point of Contact exchange.
- Legal Review:** Subsentio will review each record production request for legal validity. Subsentio will also assist requesting parties as needed following Customer's policies and procedures for receipt of valid legal process.
- Notice to Subscribers:** Consistent with Customer's policies and procedures, Subsentio can send letters to subscribers notifying them that their records have been requested and informing them of their right to challenge the requests in court.
- Production of Records:** Once Subsentio has validated a record request, it will retrieve the targeted records from the Customer, perform any needed redaction of records to conform to the scope of the record request, format the records for delivery, associate a certificate of authenticity with the retrieved records, perform a final review of the resulting package, and deliver it to the required address.
- Emergency Records Requests:** In a criminal investigation, where an LEA claims an emergency has triggered a need for subscriber records and there is no time to serve Customer with regular legal process, Subsentio will process the request, consistent with legal requirements and the Customer's policies and procedures, under a special emergency procedure.
- Limited Data Retention:** Subsentio will act as Customer's custodian of record for all records that Subsentio produces on Customer's behalf. Subsentio will maintain such records in a secure repository for a period of three years from the date of completion of the respective transactions and retrieve such records as may be subsequently required by Customer or a court. After the expiration of the three-year period Subsentio will destroy all retained records to eliminate any risk of unauthorized transfer or access. Upon termination of this Order Subsentio will destroy the records unless instructed to return them to Customer.
- Indemnification:** Just as with its Lawful Intercept technical solutions and Surveillance Management, Subsentio indemnifies its customers for up to \$100,000 in penalties for any errors in its Record Production services.