



everlaw

REPORT ON

EVERLAW'S

DESCRIPTION OF ITS EVERLAW PLATFORM AND ON  
THE SUITABILITY OF ITS CONTROLS RELEVANT TO  
SECURITY, AVAILABILITY, CONFIDENTIALITY, AND  
PRIVACY

SEPTEMBER 1, 2020 to AUGUST 31, 2021

**MARCUM**  
ACCOUNTANTS ▲ ADVISORS

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## Acronym Table

➤ Everlaw	Everlaw, Inc.
➤ AICPA	American Institute of Certified Public Accountants
➤ API	Application Program Interface
➤ AWS	Amazon Web Services
➤ CEO	Chief Executive Officer
➤ LLP	Limited Liability Partnership
➤ SaaS	Software as a Service
➤ S3	Simple Storage Solution
➤ SOC	System and Organization Controls
➤ TSP	Trust Service Principles
➤ UK	United Kingdom
➤ USA	United States of America

## **Section 1: Assertion of the Management of Everlaw**

## Assertion of the Management of Everlaw

We are responsible for designing, implementing, operating, and maintaining effective controls within Everlaw’s Everlaw Platform (Everlaw Platform and Storybuilder by Everlaw, hereafter both together referred to as “Everlaw Platform”) throughout the period September 1, 2020 to August 31, 2021, to provide reasonable assurance that Everlaw’s service commitments and system requirements relevant to security, availability, confidentiality and privacy were achieved. Our description of the boundaries of the system is presented in Attachment A and identifies the aspects of the system covered by our assertion.

We have performed an evaluation of the effectiveness of the controls within the system throughout the period September 1, 2020 to August 31, 2021, to provide reasonable assurance that Everlaw’s service commitments and system requirements were achieved based on the trust services criteria relevant to security, availability, confidentiality, and privacy (applicable trust services criteria) set forth in TSP section 100, *2017 Trust Services Criteria for Security, Availability, Processing Integrity, Confidentiality, and Privacy* (AICPA, *Trust Services Criteria*). Everlaw’s objectives for the system in applying the applicable trust services criteria are embodied in its service commitments and system requirements relevant to the applicable trust services criteria. The principal service commitments and system requirements related to the applicable trust services criteria are presented in Attachment B.

There are inherent limitations in any system of internal control, including the possibility of human error and the circumvention of controls. Because of their inherent limitations, a service organization may achieve reasonable, but not absolute, assurance that its service commitments and system requirements are achieved.

We assert that the controls within the system were effective throughout the period September 1, 2020 to August 31, 2021, to provide reasonable assurance that Everlaw’s service commitments and system requirements were achieved based on the applicable trust services criteria.

/s/ Shana Simmons, General Counsel  
Everlaw, Inc.  
December 30, 2021

## **Section 2: Independent Service Auditors' Report**



## Independent Service Auditors' Report

To: Everlaw

### Scope

We have examined Everlaw's accompanying assertion, titled "Assertion of the Management of Everlaw" (assertion) that the controls within Everlaw's Everlaw Platform (system) were effective throughout the period September 1, 2020 to August 31, 2021, to provide reasonable assurance that Everlaw's service commitments and system requirements were achieved based on the trust services criteria relevant to security, availability confidentiality and privacy (applicable trust services criteria) set forth in TSP 100, *2017 Trust Services Criteria for Security, Availability, Processing Integrity, Confidentiality, and Privacy* (AICPA, *Trust Services Criteria*).

### Service Organization's Responsibilities

Everlaw is responsible for its service commitments and system requirements and for designing, implementing, and operating effective controls within the system to provide reasonable assurance that Everlaw's service commitments and system requirements were achieved. Everlaw has also provided the accompanying assertion about the effectiveness of controls within the system. When preparing its assertion, Everlaw is responsible for selecting, and identifying in its assertion, the applicable trust services criteria and for having a reasonable basis for its assertion by performing an assessment of the effectiveness of the controls within the system.

### Service Auditors' Responsibilities

Our responsibility is to express an opinion, based on our examination, on whether management's assertion that controls within the system were effective throughout the period to provide reasonable assurance that the service organization's service commitments and system requirements were achieved based on the applicable trust services criteria. Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform our examination to obtain reasonable assertion about whether management's assertion is fairly stated, in all material respects. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

Our examination included:

- Obtaining an understanding of the system and the service organization's service commitments and system requirements
- Assessing the risks that controls were not effective to achieve Everlaw's service commitments and system requirements based on the applicable trust services criteria



- Performing procedures to obtain evidence about whether controls within the system were effective to achieve Everlaw’s service commitments and system requirements based on the applicable trust services criteria

Our examination also included performing such other procedures as we considered necessary in the circumstances.

### **Inherent Limitations**

There are inherent limitations in the effectiveness of any system of internal control, including the possibility of human error and the circumvention of controls.

Because of their nature, controls may not always operate effectively to provide reasonable assurance that the service organization’s service commitments and system requirements were achieved based on the applicable trust services criteria. Also, the projection to the future of any conclusions about the effectiveness of controls is subject to the risk that controls may become inadequate because of changes in conditions or that the degree of compliance with the policies or procedures may deteriorate.

### **Opinion**

In our opinion, management’s assertion that the controls within Everlaw’s Everlaw Platform were effective throughout the period September 1, 2020 to August 31, 2021, to provide reasonable assurance that Everlaw’s service commitments and system requirements were achieved based on the applicable trust services criteria is fairly stated, in all material respects.

Marcum LLP

*Marcum LLP*

December 30, 2021

Tampa, FL

**Attachment A: Everlaw's Description of its Everlaw Platform**

# System Description

## Company Overview and Services Provided

Everlaw, Inc., based in Oakland, California, with regional offices in Washington, D.C and London, England, develops and manages the Everlaw Platform. Everlaw customers include legal firms, corporations, journalists, non-profit organizations and government entities engaged in litigation, investigations, data subject access requests and other types of large-scale document review and analysis projects or collaboration activities.

The Everlaw Platform is a modern, cloud-based eDiscovery and litigation platform that enables teams to process, manage, review, produce, and present electronically stored information in an efficient, powerful, and cost-effective manner. Storybuilder by Everlaw is a standalone collaborative tool for legal professionals that enables teams to organize documents, build cohesive narratives, and positively impact the outcome of litigation.

## Infrastructure

The Everlaw Platform is a cloud native and web browser-based SaaS technology platform that is accessed via the internet. The web application features file and document uploading via secure protocols, as well as feature-rich search, review, and collaboration functions for preparing a case, investigation or other relevant workflow. The platform APIs enable seamless integration with other technology systems. The Everlaw Platform is enabled in the United States, Canada, United Kingdom, Europe (Germany), and Australia.

## Amazon Web Services (AWS)

The system components that make up the Everlaw Platform are hosted within AWS data center facilities. Everlaw relies on AWS to provide appropriate physical and logical protections and processes for the AWS data center facilities.

The Everlaw Platform components allow for the management and configuration of a project database and active projects that use the project database.

## Storage

Private AWS S3 buckets store customer files that represent project case documents or user task output.

## System Boundary

The system boundary includes a dedicated system interconnection with AWS that provides the underlying hardware and operational environment that powers the Everlaw Platform. Thus, the Everlaw Platform relies on AWS for the purposes of storing, processing, and transmitting customer data. Everlaw retains complete control and ownership of the customer data. The Everlaw Platform includes features that rely on external services:

- Google Cloud Translate API
- Zendesk

## Locations and Infrastructure

Everlaw has the following key functions and locations which support the Everlaw Platform:

Function	Description
Operations Support	<ul style="list-style-type: none"><li>➤ Oakland, California (Headquarters)</li><li>➤ London (UK)</li></ul>
Engineering (including Software Development)	<ul style="list-style-type: none"><li>➤ Oakland, California (Headquarters)</li><li>➤ Remote personnel (USA)</li></ul>
Security Engineering	<ul style="list-style-type: none"><li>➤ Oakland, California (Headquarters)</li><li>➤ Remote personnel (USA)</li></ul>

## Software

Everlaw has implemented various industry standard software and tools to support Everlaw Platform. Everlaw has deployed Identity and access management, Security monitoring, Vulnerability management, Incident management, and other industry standard software to support the infrastructure and systems, and provide its services to its customers.

## People

Everlaw's CEO is responsible for leading the organization and managing the strategic operations of Everlaw. The CEO is committed to offering a secure product to Everlaw customers.

Everlaw's organizational structure provides a framework for planning, executing and controlling business operations. Executive and senior leadership play important roles in establishing the Company's tone and core values. The organizational structure assigns roles and responsibilities to provide for adequate staffing, security, efficiency of operations, and segregation of duties. Management has also established authority and appropriate lines of reporting for key personnel.

The Company follows a structured on-boarding process to familiarize new employees with Everlaw tools, processes, systems, security practices, policies and procedures. Employees are provided with the Company's Code of Business Conduct and Ethics and additionally complete annual Security & Awareness training (and other role based training) to educate them as to their responsibilities concerning information security.

## **Security Policy, Procedures, and Governance Structure**

Everlaw has a robust Information Security Policy in place along with relevant procedures that document the information security program and required processes. Everlaw has documented relevant procedures to meet the Trust Services Principles. In addition, Everlaw performs a risk assessment to identify risks to the business and systems. Once relevant risks have been identified and evaluated, controls are established, implemented, monitored, reviewed, and improved when necessary to meet the applicable trust services criteria and the overall objectives of the organization. Relevant policies and procedures are updated to reflect changes in the design of the controls or addition of any new controls.

## **Data**

As part of using the Everlaw Platform, users may create or upload documents, images, files, annotations, notes, tags or other electronic records relating to litigation or project matters. In the course of providing the service, Everlaw may also collect statistical data and performance information, analytics, meta-data or similar information, generated through instrumentation and logging systems, regarding the operation of the Everlaw Platform, including data about use of the service.

## **Risk Assessment**

Everlaw management performs periodic risk assessments, which requires management to identify risks in its areas of responsibility and to implement appropriate measures to address those risks. Everlaw's management reevaluates the risk assessment annually to both update the previous results and to identify new areas of risk. The results of the risk management activities are shared with leadership and necessary plans are put into place to address the risks.

**Attachment B: Everlaw's Principal Service Commitments and System Requirements**

## Principal Service Commitments and System Requirements

Everlaw designs its processes and procedures related to its Everlaw Platform to meet its service objectives. Those objectives are based on the service commitments that Everlaw makes to user entities, the laws and regulations that govern cloud service providers, and the financial, operational, security, privacy, regulatory and compliance requirements that Everlaw has established for the services.

Security commitments to user entities are documented in the appropriate agreements. Security commitments are standardized and include, but are not limited to, the following:

- Security principles within the fundamental design of the Everlaw Platform that are designed to permit system users to access the information they need based on the permission of least privilege provisioning.
- Use of encryption protocols to protect data at rest and in transit.

Availability commitments to user entities are documented in appropriate agreements. Availability commitments are standardized and include, but are not limited to, the following:

- Managing capacity demand through the monitoring and evaluation of current processing capacity and usage rates.
- Meeting Company objectives through authorization, design, development, and monitoring of data backup processes and recovery infrastructure.

Confidentiality commitments to user entities are documented in appropriate agreements. Confidentiality commitments are standardized and include, but are not limited to, the following:

- Information is defined and classified into categories with associated periods.
- Data retention and disposal policies and procedures are documented and in place.

Privacy commitments to user entities are documented in appropriate agreements and in the privacy policy publicly-posted on Everlaw's website. Privacy commitments are standardized and include, but are not limited to, the following:

- Personal data is stored, maintained, and utilized in accordance with the publicly-posted privacy policy.
- Data disclosures to third parties are permissible only to authorized third parties specified and named in agreements and in the publicly-posted privacy policy.
- Inquiries for access, deletion, and retention are fulfilled in accordance with the publicly-posted privacy policy in a timely manner.



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