

## **EXAM 1 Findings:**

DON'T READ THIS UNTIL YOU HAVE COMPLETED EXAM 1! You will never be able to go back in time to the point when you did not know the answer. Honestly, why watch the football game when you know the end score? Last warning....don't read on!

**Desired outcome: Our client wish to prove that the created date of this document is NOT in June 2012.**

**Below is the important document information:**

**“Validate Word Dates.doc” File System Information:**

**Created:** Tuesday, June 12, 2012, 2:27:16 PM

**Modified:** Tuesday, June 12, 2012, 2:27:17 PM

**“Validate Word Dates.doc” Metadata Information:**

**Date created:** 06/12/2012, 2:27 PM

**Date modified:** 06/12/2012, 2:27 PM

**Last Printed:** 1/8/2015, 9:01 AM

**Revision number:** 2

**Total editing time:** 00:00:00

## **Findings:**

- 1) Yes, the file system created and modified dates of this document are in June 2012, precisely one second apart. This would appear to support opposing counsel's claim of the document's June 2012 created date. However, it should be a red flag that the file system created and modified dates are almost exact! If this was the original document, the "Content created" metadata filed would start the instant the document was opened. The "Date last saved" metadata field would be later when the document was first saved.

2) In the January 2015 deposition, the deposed claimed the document is the original, created in June 2012, copied directly to a thumb drive from the original source and delivered to opposing counsel on January 8th, 2015. It is VERY important to obtain background information for your cases. The case NEVER starts and finishes with only the digital evidence delivered. The “Revision number 2” metadata filed with the file system created date and the “Content created” metadata field match perfectly. This does not support what was stated in the deposition.

a. Three scenarios that would explain the “Revision number 2” :

i. Revision number changes when saving the document twice in the normal course of use. This would have different “Content created” and “Date last saved” metadata fields date and time. This would also have a “Total editing time” that is not 00:00:00. This is NOT the case here.

ii. If you create a NEW UNSAVED document and close the application before it is saved for the first time, the application will ask “Want to save your changes to....?”. If you select “Save”, this will create a document with identical file system created and modified dates with a “Revision number 2”. It will skip 1 in this scenario even though this is the first time the document was saved. However, the “Content created” metadata field in this scenario would be set to the moment the document is opened and the “Date last saved” metadata filed would match the file system modified date. They would be different. This is NOT the case here.

iii. A previously saved document was opened and “File” – “Save As” used. This will create a document with the “Revision number 2”, “Total editing time” of 00:00:00 and matching “Content created” and “Date last saved” metadata fields. This is what happened!

- Fact - This document or the one it was created from WAS printed on a workstation on 1/8/2015, 9:01 AM according to the clock set on the workstation. This document MUST have first been changed, printed and saved for that “Last Printed” date to be recorded.
- Fact – The file system created and modified dates and the “Content created” and “Date last saved” metadata fields are all 6/12/2012, 2:27 PM. This document was SAVED AS into a new location on 6/12/2012, 2:27 PM according to the clock set on that workstation and the “Revision number” metadata filed.
- The document was copied to a thumb drive which will traditionally bring with it the file system modified date but WILL change the file system created date unless an application such as Robocopy/Xcopy is used to preserve it. It appears that an application was used to preserve the file system created date or the document was saved directly to the thumb drive.

**Conclusion:**

Dates on the workstation were changed to create this document. The printed date is AFTER the document “Date last saved” metadata field and the file system last modified dates. This is simply not possible for this to be the original document because the “Date last printed” metadata filed requires a document save which will change the “Date last saved” metadata field. This, in turn, would cause a change to the “Date last saved” metadata field and file system last modified dates. This document was created from an existing document that was last printed on 1/8/2015, 9:01 AM as that document must have been last saved after the “Last printed” date.

**Fun side facts:**

- This was created using Microsoft Word 2013 and saved as DOC and not DOCX. The DOCX extension is used by Word 2007, 2010 and 2013 for Windows and Word 2008 and 2011 for OS X.
- The “Date last saved” metadata field should ALWAYS match the file system modified date. If this is NOT the case, red flags should rise.
- If the existing document is opened and not changed it could be printed 100 times and when closed the last printed date will be exactly as it was before it was opened and printed. The ONLY time the “Last printed” metadata field will change is if the document is CHANGED, PRINTED AND SAVED. If all three of these do not occur, the “Last Printed” date will NOT be changed.