

Capture Social Media with Page Vault

By Daniel J. Siegel

NO MATTER WHERE YOU LOOK, lawyers are confronting social media issues. In a recent case, for example, federal Judge William Alsup ordered the lawyers for the parties—tech heavyweights Oracle and Google—to refrain from performing Internet research on the venire or the empaneled jury until their trial had concluded. The judge feared that the companies would delve so deeply into the Facebook profiles of the jury that they would “mine not only the ‘public’ data but the details classified as ‘for friends only’ or ‘friends of friends,’ depending on the fortuity of friend listings.”

But for most lawyers, whose clients are not so high-profile, searching for public information—whether it comes directly from the jurors, or their friends, or their friends’ friends—is commonplace. As a result, lawyers have been searching for ways to mine and capture the social media of parties and witnesses in a forensically sound manner but without the cost of hiring consultants. Despite the demand, there remain only a few options for attorneys to easily capture Web pages, whether from social media or other sources, which can later be used in litigation.

THE LOW-TECH DAYS

Of course, lawyers can simply print out Web pages, as they have done with email and other electronic materials, which I refer to as the poor man’s way of doing things. After all, items from the Internet are electronic and are meant to remain electronic; they display better that way.

Then came Adobe Acrobat, which allows users to capture Web pages or entire websites. With Acrobat, all you do is use the Create PDF from Web Page command, then specify the URL of the desired website and how many levels of the site you want to capture, and the software will download the designated page or pages and save them as a PDF portfolio. But Acrobat’s portfolios can be a bit unwieldy; in addition, many lawyers balk at the software’s cost, even though it’s a terrific product with numerous useful features.

ALONG COMES PAGE VAULT

Now there is an alternative, Page Vault (page-vault.com),

which offers Web archiving software designed to easily capture Web pages. I tried the desktop version and found it to be user-friendly and an easy way to capture Web pages, albeit with some limitations. Overall, it’s a good option for attorneys who need to download a few pages. I’ll explain.

When you use Page Vault, you are given a login and password and access to the Page Vault browser with instructions how to download the Page Vault launcher, which installs an icon on your desktop. To perform a capture, you launch Page Vault, enter Launch Capture Mode and open the Page Vault browser. Next you navigate to the website that you want to save and click the Capture button. You can create different folders for each of your cases, and then save the capture in the appropriate location. It’s that easy.

To download a PDF of a capture, you click on the Page Vault icon to launch Page Vault and click the Launch Portal Viewer button to view your private Page Vault portal. Then go to the folder for your desired case and click on the capture you want to download. Page Vault has a viewer that automatically displays the captured pages. Then you can select to enter the Capture Details view. Next, you click on the Export button and decide whether to receive the capture as a PDF or a load file format compatible with many e-discovery products. Page Vault then verifies the email address to which to send the information and in seconds it sends you a zip file. Regardless, the files require a password (included in the same email) to open them. If you chose PDF, the files are in PDF format; if you chose the load file format, you receive a .dat file (compatible with many e-discovery products) and a subfolder with your PDFs.

Every PDF includes a cover page that provides information about the capture, including:

- The title of the captured Web page.
- The URL of the Web page.
- The IP address of the website.
- The time the page was loaded and time-stamped by Page Vault.
- The version of Page Vault that was used to capture the page.
- The IP address of the Page Vault server.
- The number of pages in the PDF.

The cover page is intended to provide forensically verifiable information and make it easier to comply with any procedural rules. Page Vault will also provide an affidavit to use in court, but it has never been required to testify to verify the contents of its downloads. The affidavit explains the process by which Page Vault captures and stores Web pages, doing so in a manner that may suffice when used to support motions for summary judgment and other filings.

POTENTIAL ISSUES

While Page Vault is a very good product, it may not be for everyone, and it did have some minor glitches in my testing. As with many other products, it did not work well in Internet Explorer but worked well in Mozilla Firefox. In addition, at times, when I used the Portal Viewer it did not load, but when I manually copied the URL of the Viewer into the Page Vault browser, it worked seamlessly.

In addition users have to be mindful that websites like Facebook do not automatically load a user's entire page and that they must scroll down to be sure they have loaded all of the posts and other information on a page. Otherwise their captures will be incomplete. Page Vault is developing a tool to assure that users can capture an entire Facebook or other website page without having to repeatedly scroll down the page.

Another limitation on Page Vault is that users can only load one page at a time, not an entire site, or multiple levels of a site, features that are available in products like Adobe Acrobat. In

that circumstance Page Vault offers a product called Site Vault that provides custom collection services.

For most users the basic Page Vault is probably sufficient. The company offers a solo practitioner plan for \$95 per month, which includes one username and up to 10 GB of capture space. For larger law firms it offers three plans, which cost \$195, \$295 or \$495 per month. Each of these plans allows a firm to have unlimited users but varies the maximum number of concurrent users from two to five to 10. Affidavits cost \$100 each, regardless of the plan, although the \$495 Enterprise plan includes five "free" affidavits per year.

Page Vault is an easy-to-use website/social media capture product that should fit the needs of most firms, particularly if they generally need only to capture a few Web pages at a time. Otherwise, consider the company's enhanced services. Either way, Page Vault is more forensically sound than printing pages on your DeskJet. **LP**

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