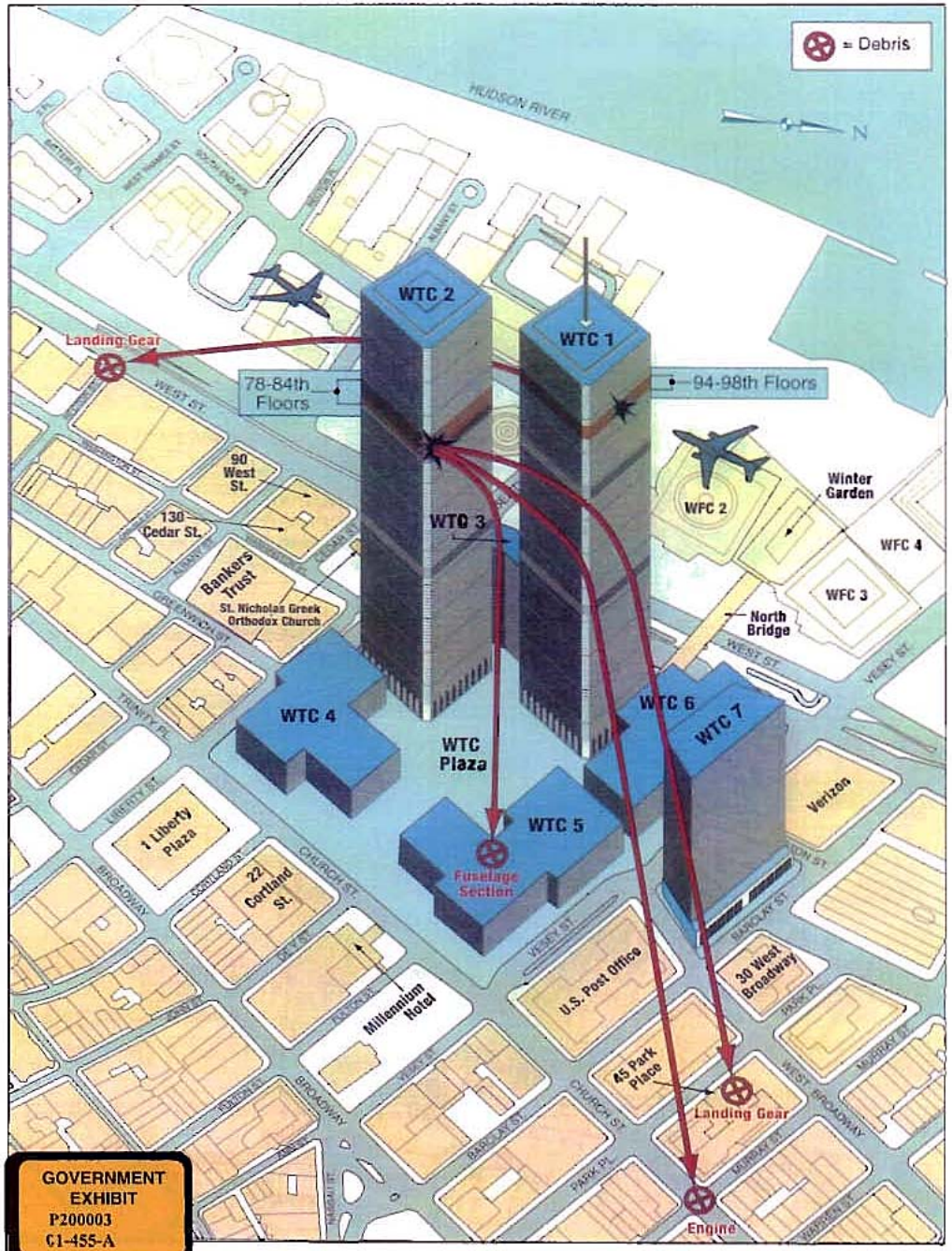


If I Knew Then . .

Business (dis)continuity after 9/11 and what we learned the hard way


= Debris
HUDSON RIVER
N
WTC 2
WTC 1
Landing Gear
78-84th Floors
94-98th Floors
WEST ST.
90 West St.
130 Cedar St.
Bankers Trust
St. Nicholas Greek Orthodox Church
WTC 3
WFC 2
Winter Garden
WFC 4
WFC 3
North Bridge
WTC 4
WTC Plaza
WTC 6
WTC 7
Verizon
WTC 5
Fuselage Section
1 Liberty Plaza
22 Cortland St.
Millennium Hotel
U.S. Post Office
30 West Broadway
45 Park Place
Landing Gear
Engine
GOVERNMENT EXHIBIT
P200003
01-455-A

September 10, 2001

- 1000 employees at 100 Church Street
- September 10 was the first day for 60 new lawyers
- Headquarters for 18 of 20 divisions
- Server room
- Connections to all City systems
- Library
- Files
- Service of Process

September 12, 2001

- No office for 70% of our employees
- No BlackBerry service (some Pin-to-pin)
- No connectivity to City systems
  - Payroll, Personnel, Financial Management, accounts payable
- No e-mail, electronic documents, files, Lexis
- No Managing Attorney
- Where are our 60 new lawyers?

September 13, 2001

- Made payroll by walking across the Brooklyn Bridge to the Municipal Building, picking up $3.5 million in checks and stubs and taking the subway back to Brooklyn
- Calls go out to the City's real estate office and to law firms for space
- Establish a web site and begin to post news
- Get the call tree started

September 15, 2001

- Arrange trip to 100 Church Street through City Hall, NYPD and National Guard
- Take out servers and personnel files
- Begin search for class of 2001
- Let people know via web site that 100 Church Street is in good shape and we should be back there shortly
- Begin creating CDs from backup tapes for distribution

September 18, 2001

- Begin hearing from DCAS and law firms re available space
- Located the Executives at Skadden on 42d Street
- Located parts of 5 other divisions at various locations
- Recabled Exchange servers at 350 Jay Street
- Revisit 100 Church Street to retrieve more servers and files







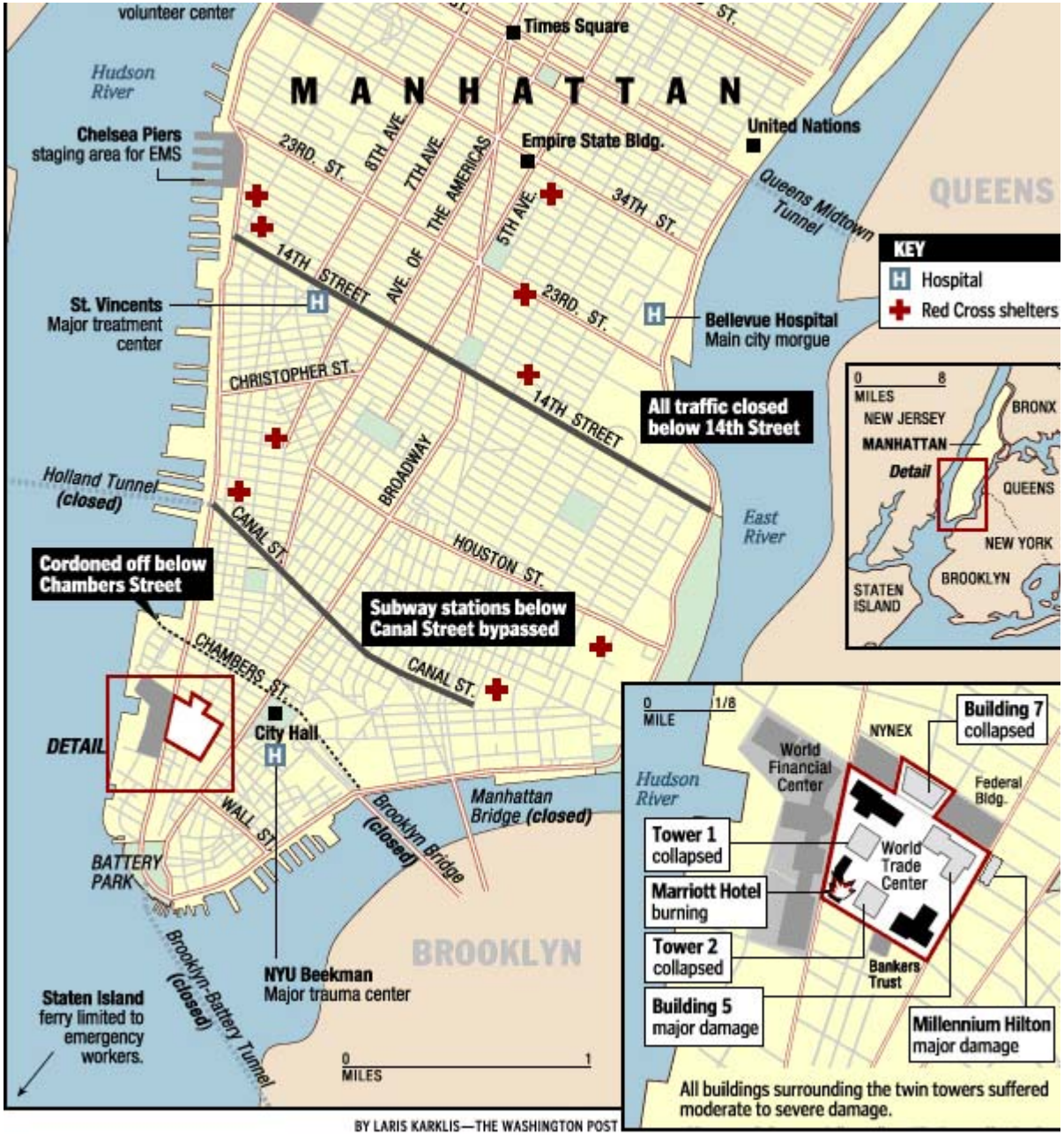
(P) 03K9617
IBM P/N-76H6094 FRU P/N-75H9550
98-02
ALPS ELECTRIC CO., LTD.
EC E721087

September 24, 2001

- Still in the “frozen zone”
- Hear of large block of space at 59 Maiden Lane.
- Divisions are finding their own space
- Establish connections to City systems
- How to get the word in?

October, 2001

- Still in “frozen zone”
- Arrange with National Guard for groups of lawyers to access 100 Church Street for files
- Courts reopen
- Begin preparing 59 Maiden Lane for occupancy
- Hear rumors about FEMA
- We locate the class of 2001
- “We should be back in 100 Church Street in 4 to 8 weeks”



BY LARIS KARKLIS—THE WASHINGTON POST

November, 2001

- *Still* in “frozen zone”
- We have staff in 35 locations
- New headquarters at 59 Maiden Lane for 300 employees
- Do we go back to 100 Church Street or start over? Need 300,000 sq. ft. of contiguous space
- FEMA shows up
- Courts are losing patience

December, 2001

- First walk-through of 100 Church Street with FEMA
- 100 Church Street is removed from the frozen zone
- Preliminary decision to go back to 100 Church Street

January – April, 2002

- Final Decision to return to 100 Church Street
- Hire a construction manager
- Hire an environmental consultant
- Replace all computers and carpets
- Clean the surfaces and ductwork
- Test, then re-clean the surfaces and ductwork
- Staff attitude to returning starts to change
- Set date to return and hold information sessions to reassure staff

April 15, 2002

- Begin move back – move lasts 2 weeks
- Ongoing IT and telephone issues
- Ongoing staff issues
- By April 29, 2002, all staff has returned to 100 Church Street.
- It takes 230 days to fully recover from 9/11
- Over $9 million in expenses – mostly covered by FEMA

Types of Disasters

- Symmetric
  - Widespread, affects many or all the institutions and people you deal with
  - Well known, widely reported
  - Earthquakes, blackouts, storms
  - Probably requires emergency declarations of various kinds
  - Counseling your executive is first priority

Types of Disasters

- Asymmetric
  - Limited in scope, may only affect you
  - Not well publicized
  - Disaster counseling function not necessary
  - Fires, small scale blackouts, explosions
  - Speed of recovery essential

Disaster Counseling

- Draft all necessary declarations in advance
- Copies in electronic, CD and paper forms
- Copies with your client and preferably two of your lawyers
- Those lawyers are tasked with communicating with the client as soon as possible after the event

Saving Your People

- Drills
  - Fire Drills twice per year
  - Full Evacuation Drills once per year
  - Staff should be trained to go to a particular location and wait for instruction
  - There are events where you should stay put

Saving Your People

- Post-event stress
  - Psychological – Employee Assistance Unit
  - Morale
  - Togetherness counts
  - The joys and sorrows of temporary space

Retrieving Your Data

- Paper
  - Unavailable or destroyed
  - “destroyed” is sometimes not destroyed; you can get some of it back
  - get familiar with other sources of destroyed documents: clients, courts, adversaries, co-defendants
  - Should you scan?
  - Central file rooms

Retrieving Your Data

- Electronic Data
  - Backup
  - Failover
  - VPNs
  - The “Cloud”
  - Ethical Issues
  - Costs

Communication

- Methods
  - VPN or Cloud access to e-mail
  - Blackberry
  - Facebook, Twitter
  - Web Page
  - Media
  - Phone trees
  - Pre-arranged meeting venues
  - Video-conferencing
  - Apple iPads and other non-secure means

February 22, 2010

LAW DEPARTMENT
EMERGENCY PROCEDURES
and AGENCY CONTACTS

EVACUATION

The Office of Emergency Management has told us that in the event of some typ of emergency evacuations, it is useful to have a place away from your office building wh everyone knows to gather to await further instructions as to what to do. Certainly, not situations lend themselves to this kind of procedure. A blackout toward the end of the day is example where it is better to let staff just find their way home. However, evacuations undertak because of fire alarm signals are not always indicative of the closing of a building for a leng period of time. There can be false alarms or very localized, containable fires that are rapi dealt with. In those cases, it is better that the staff not be gathering around the building a possibly getting in the way of emergency personnel. Nor should they be going home. Th should gather in some public place near the office and await instructions there. Within one ho one or two representatives of the office can be charged with finding out what is going on a instructing staff how to proceed. The locations for each of our offices are:

- 100 Church Street — City Hall Park
- Bronx Family Court — Grant Avenue, between 162nd & 163rd Street
- Bronx Tort — Concourse Plaza parking lot, next to 198 E. 161st Street
- Brooklyn Family Court — McLaughlin Park, northwest corner of Tillary and Jay St
- Brooklyn Tort — McLaughlin Park, northwest corner of Tillary and Jay St
- 60 Lafayette Street — Thomas Paine Park, across from 60 Centre Street
- Manhattan Trial Unit — Thomas Paine Park, across from 60 Centre Street
- Queens Family Court — Rufus King Park, opposite 151-20 Jamaica Avenue
- Queens Tort — Rufus King Park, behind 88-19 Sutphin Boulevard
- Staten Island Family Court — Corner of Bay Street & Slosson Terrace
- Staten Island Tort — Municipal Parking lot, behind 60 Bay Street
- Workers' Compensation — McLaughlin Park, northwest corner of Tillary and Jay St

In an emergency, visit the web site: www.nyclawdepartment.com

ALTERNATE LOCATION

In the event of an emergency which makes our 100 Church Street offices unavailable, the executive staff and each division chief affected by the closure shall report to the 8th floor conference room at 350 Jay Street in Brooklyn {(718) 222-2236, 2040} as soon as possible. From there, offices will be assigned to them in the Brooklyn office, or other borough offices as necessary. Each executive will be responsible for contacting the division chiefs who report to him or her. Each division chief will be responsible for contacting his or her staff as necessary. Establishing lines of communication is the first priority.

COMMUNICATION AMONG STAFF - PHONES - E-MAIL

To facilitate the communication among the management and staff, each executive and division chief should have the Emergency Staffing List available at all times and have extra copies if necessary. Copies of the list will be on hand in Brooklyn as well. Cell phones issued by the office should be carried at all times. They may prove invaluable in the event the telephone system is affected. Attached is a list of executive staff and division chief cell phone numbers, along with a couple of other useful numbers. You should not encourage staff to call their superiors as a matter of course. The outreach should be from the top down. This will minimize the number of calls at the outset, when communicating with senior staff is a priority.

NOTICES TO STAFF WEB SITE

In the event the Law Department's intranet page is still functional, notices will be posted there for the benefit of those who have access to it. In addition, the chief technology officer (CTO) has established a web site (www.nyclawdepartment.com). Those of your staff who are still at home or otherwise have no access to the intranet site should be instructed to monitor that web site for instructions and updates. The CTO will establish whatever protocols are appropriate for divisional access to post items on the site.

OUTREACH TO THE COURTS

Outreach to the various courts should be made as soon as practicable. The following executive staff are responsible for notifying the courts indicated. The titles in parentheses are substitute liaisons in the event the executive staff member is not available:

Appellate Divisions, 1st & 2nd Departments; Court of Appeals 2nd Circuit:

Chief Assistant Corporation Counsel (Deputy Chief, Appeals).

Supreme Courts - all Boroughs:

Chief Litigating Assistant Corporation Counsel (Chief, Tort).

Federal District Courts, Southern and Eastern Districts:

Executive Assistant for Public Safety (Chief, Special Federal Litigation)

Family Courts – all Boroughs:

Chief, Family Court (Deputy Chief, Family Court)

OUTREACH TO THE PRESS AND PUBLIC

The Communications Director will be responsible for all contact with the m and will be their sole contact with the Law Department. Other staff may make statement announcements to the media only in the event that the Communications Director is unavail and only after consultation with the Corporation Counsel, the First Assistant Corpora Counsel or the Managing Attorney.

It is unlikely that offices will be available for more than twenty or thirty pers at our Brooklyn office. It is the responsibility of the Managing Attorney to find space necessary, outside 100 Church Street for other staff. However, executives and division ch will be encouraged to use whatever contacts they have to arrange for office space and amen for their divisions if 100 Church Street will be unavailable for some time. If such arrangem are contemplated, do not finalize them without first notifying the Managing Attorney. approved, follow the Managing Attorney's directions concerning the reporting of teleph numbers and the like.

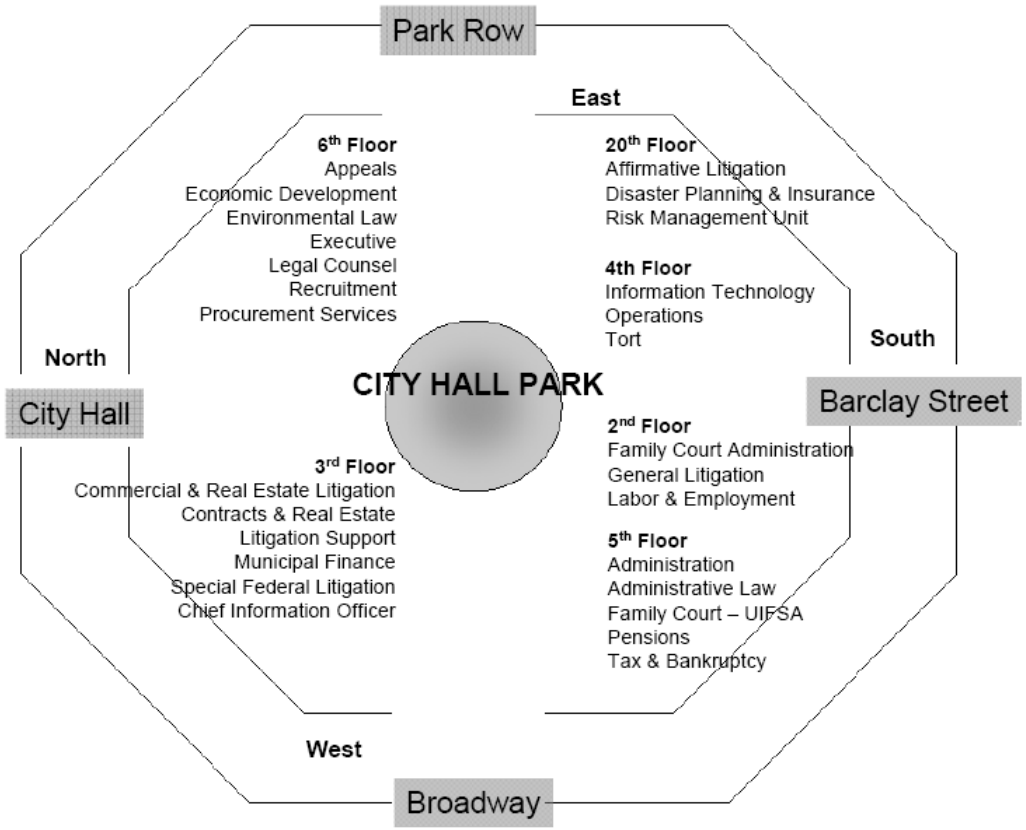
OUTREACH TO CLIENTS

Clients (the General Counsel or other appropriate officials) should be contacted as soon as practicable both to explain our circumstance and to provide whatever assistance that can be had. In addition to the Corporation Counsel, the First Assistant and the Managing Attorney, those staff listed below will act as liaisons to the indicated agencies. In the event the division chief is unavailable, the deputy chief will act as liaison. In order to minimize confusion, all communications with these agencies should go through the liaisons until you are instructed otherwise.

Law Department Liaisons to City Agencies

ACS	Chief, General Litigation
Bd. of Elections	Chief, Legal Counsel
Business Integrity Com	Executive Assistant for Public Safety
City Council	Chief, Legal Counsel
CPC	Chief, Legal Counsel
DCA	Chief, Administrative Law
DCAS	Chief, Contracts & Real Estate
Dept. of Cultural Affairs	Chief, Legal Counsel
DDC	Chief, Commercial Litigation
DEP	Chief, Environmental Law
DFTA	Chief, Contracts & Real Estate
DHS	Chief, General Litigation
DJJ	Chief, General Litigation
DOB	Chief, Administrative Law
DOC	Chief, General Litigation
DOE/BOE	Chief, Legal Counsel
DOF	Executive Assistant
DOH	Chief, Administrative Law
DOI	Managing Attorney
DoITT	Chief Technology Officer

Dept. of Probation	Chief, Family Court
DOS	Chief, Environmental Law
DOT	Chief, Administrative Law
DSBS	Chief, Contracts & Real Estate
DYCD	Chief, Contracts & Real Estate
EDC	Chief, Economic Development
FDNY	Chief, Administrative Law
FISA	Managing Attorney
HHC	Chief, Tort
HPD	Chief, Contracts & Real Estate
HRA	Chief, General Litigation
NYCHA	Chief, Contracts & Real Estate
NYPD	Chief, Special Federal Litigation
OATH	Chief, Labor & Employment La
OCME	Chief, Administrative Law
OEM	Chief, Legal Counsel
OLR	Chief, Labor & Employment La
OMB	Managing Attorney
OPA	Managing Attorney
OTM	Corporation Counsel; First Assis
Parks & Recreation	Chief, Environmental Law
TLC	Chief, Administrative Law



Other Lessons

- Never underestimate environmental cleanups
- Never underestimate people’s reactions to environmental issues
- Beware heroic efforts, especially in IT