

Unfiltered Orange |

Weekly eDiscovery News Update – May 11, 2011

Compiled by Orange Legal Technologies (<http://www.orangelt.com>) from online public domain resources, *Unfiltered Orange* is a weekly newsletter designed to inform and educate legal professionals on key stories, developments, and announcements in the electronic discovery field. For up to the minute news updates, visit <http://www.twitter.com/OrangeLT>.



eDiscovery News

Content and Considerations

- 67 Seconds of Porn . . . You're Fired! <http://tinyurl.com/6e8vqra> (Ben Kerschberg)
- Anti-Spam Law Governs Social Media Pages, Court Rules – <http://tinyurl.com/3oce3r7> (Eric Sinrod)
- Cost-Shifting eDiscovery and Third-Parties – <http://tinyurl.com/3uuvhcv> (Josh Gilliland)
- Court Declines to Hold that Lack of Written Litigation Hold Allows Presumption that Relevant Evidence was Lost or Destroyed - <http://tinyurl.com/3hazg7j> (K&L Gates)
- Court Finds Ineffective Assistance of Counsel for Failing to Object to Admission of Email - <http://tinyurl.com/3dm4cgk> (Michael Arkfeld)
- eDiscovery Case Law: Written Litigation Hold Notice Not Required - <http://tinyurl.com/43hwapv> (Doug Austin)
- E-Discovery For Defendants 2.0 - <http://tinyurl.com/3nskuhy> (Jim Beck)
- E-Discovery Sanctions Reach Towering Heights and Should Be Applauded – <http://onforb.es/j1h17d> (Ben Kerschberg)
- Federal Judge Cuts Fee Sanctions for Withheld Discovery – <http://tinyurl.com/3s9dyco> (Mary Pat Gallagher)
- How Employers Can Balance Social Media Rights and Obligations – <http://tinyurl.com/4xjxupc> (Amy Komoroski Wiwi, Lawren Biscoe)
- How to Prepare Your Expert Witness - <http://tinyurl.com/3qdsd34> (Mark Adams)
- IP Addresses Alone Cannot be Used to Identify Individuals, US Judge Says - <http://tinyurl.com/3d27u8r> (Pinsent Masons)
- Judge Accuses D.C. of Discovery Violation 'So Extreme As To Be Literally Unheard Of' - <http://tinyurl.com/3d74m72> (Zoe Tillman)
- Judge Calls out D.C. for "Corrupt Production Strategy" (PDF) <http://bit.ly/iJsb3e> (Seth Row)
- Maryland's Social Media Evidence Authentication Decision Provides Much Needed Guidance - <http://tinyurl.com/3utk6cm> (Bradley Shear)
- Phase Two of Seventh Circuit Electronic Discovery Pilot Program Extended to May 2012 - <http://tinyurl.com/42feyrr> (K&L Gates)
- Plaintiff Permitted to Serve Discovery on Google & Blogspot to Determine Identity of Anon Blogger - <http://tinyurl.com/3ej3zej> (Jonathan Frieden)
- Proliferous SharePoint Sites Undermine Governance – <http://tinyurl.com/3jrds8o> (Jake Frazier)
- Pros and Cons of Pennsylvania's Proposed eDiscovery Rules Changes - <http://tinyurl.com/4x5zag5> (Leonard Deutchman)
- Recent Rulings Focus on Spoliation of ESI – <http://tinyurl.com/4xp3d67> (Mark Berman)
- Relief From Onerous Steps to Protect Expert Work Product – <http://tinyurl.com/3ue3eus> (David Kiefer)
- Riding the Wave of Early Case Assessment – <http://tinyurl.com/3j6wrob> (Charles Skamser)
- Social Media in eDiscovery and as Evidence in Litigation – <http://tinyurl.com/3lv298g> (Michael Lynch, Lystra Batchoo)
- Spouse's Right to Informal Pre-Divorce eDiscovery – <http://tinyurl.com/3l2a29b> (Joe Howie)
- Super-Injunctions: Web 'Making Mockery' of Privacy Laws – <http://tinyurl.com/3tjyu7y> (Andrew Porter)

- The Tenth Circuit Speaks! <http://tinyurl.com/3aprbfv> (Christopher Spizzirri)
- Twitter Tests U.K. Courts on Injunctions as Key Privacy Ruling Looms - <http://tinyurl.com/3bd9v3k> (Sofia Lind)
- Understanding E-Discovery and FOI for Australian Information Professionals - <http://tinyurl.com/3psp6ap> (Seamus Byrne)
- What 'Effective' Compliance Really Looks Like - <http://tinyurl.com/3whthwo> (Matt Kelly)
- What Every Corporate Attorney Must Know About European Union E-Discovery Rules. An Update - <http://tinyurl.com/3tyng44> (Santiago Cueto)

Reports and Resources

- TREC 2011 Legal Track Plans Overview - <http://tinyurl.com/cu6gre> (Gordon Cormack, Maura Grossman, Bruce Hedin, Douglas Ord)
- eDiscovery Education and Certification - <http://tinyurl.com/3uaeqzl> (Ralph Losey)
- Law Enforcement Use of GPS Devices to Monitor Motor Vehicles: Fourth Amendment Considerations (PDF) <http://tinyurl.com/3dsqjlc> (Congressional Research Service)
- Legal IT Professionals and LSN Publish Results of the Global Legal IT Survey - <http://tinyurl.com/3k4vamx> (Rob Ameerun)
- Project Grants Free Public Access to Federal Court Rulings - <http://tinyurl.com/3qyqrzl> (Karen Sloan)
- Right Sourcing Electronic Discovery - <http://tinyurl.com/2cc4shx> (Orange Legal Technologies)
- Statement of Deputy Assistant Attorney General Jason Weinstein Before the Senate Judiciary Subcommittee on Privacy, Technology and the Law - <http://tinyurl.com/3w8ues7> (USDOJ)
- The Deciders: Facebook, Google, and the Future of Privacy and Free Speech (PDF) - <http://tinyurl.com/3vkmpd8> (Jeffrey Rosen)

Technology and Tactics

- 5 Repercussions of a Hacked Exchange Server Account - <http://tinyurl.com/3kqz27e> (Paul Mah)
- A Non-GPS Internet Tracking Method - <http://tinyurl.com/3syw8d5> (Michael Kassner)
- BranchOut Raises \$18M For Facebook-Focused Professional Network - <http://tinyurl.com/3mcmoat> (Leena Rao)
- Can Your Camera Make You an Infringer? <http://tinyurl.com/6bl99t5> (Michael Cesarano)
- Cloud Is Risky But Safer Than Offshoring, CFOs Say - <http://tinyurl.com/44sxr7k> (Eric Doyle)
- Domestic Surveillance Court Approved 100% of 2010 Warrant Requests - <http://tinyurl.com/6byoeu4> (David Kravets)
- Ethical Guidelines for Legal Process Outsourcing - <http://tinyurl.com/3eza3wa> (Donna Seyle)
- Facebook Apps Have Been Accidentally Leaking User Data for Years - <http://tinyurl.com/5totmhs> (Emil Protalinski)
- Facebook as Web - <http://tinyurl.com/3byl3ro> (Nicole Ferraro)
- Domain Name Registrar Go Daddy's Dynamic GC - <http://tinyurl.com/3nq2jvz> (Shannon Green)
- Google Prepared to Pay \$500M to Settle Department of Justice Investigation - <http://tinyurl.com/3pmzdlk> (Ben Parr)
- IDC Establishes A New Storage Category - <http://tinyurl.com/3nnsejc> (Chuck Hollis)
- It's Official: Microsoft Acquires Skype for \$8.5 Billion - <http://on.mash.to/iiWkxE> (Lauren Indvik)
- Nine Days from Sony Security Breach to Class Action Lawsuit - <http://tinyurl.com/3h8o42w> (Stephen Wu)
- NIST Body Backs Beefing up Cybersecurity in Smart Grid Standards - <http://tinyurl.com/4ydxmzw> (InfoSecurity)
- OpenID Warns Of Serious Bug - <http://tinyurl.com/3qx79uf> (Mathew Schwartz)
- Plaintiffs Seek MDL Status for Suits Against Sony over PlayStation Breach - <http://tinyurl.com/3lnuzn4> (Sheri Qualters)
- Settlement Licenses and Reasonable Royalties - <http://tinyurl.com/3vs2shd> (Richard Raysman, Peter Brown)
- Social Media At Peak Of Hype Cycle - <http://tinyurl.com/3gs2xkl> (David Carr)
- Text Analytics Adoption Grows by Leaps and Bounds - <http://tinyurl.com/3wgcgbx> (Seth Grimes)
- The Legal Business Has Undergone A Structural Change - <http://tinyurl.com/448ae7b> (The Economist)

- The Dichotomy Paradox, Data Quality and Zero Defects – <http://tinyurl.com/3czbj2p> (Jim Harris)
- The LinkedIn S-1: Social Networks, Legally Drawn -<http://tinyurl.com/42so35o> (John Wallbillich)
- Visualizing Microsoft SharePoint Documents – <http://tinyurl.com/3cdrjrl> (Mark Gerow)
- Webcam Spying Case Raises User Knowledge and Consent Issues - <http://tinyurl.com/3n7bnk3> (Lora Bentley)

Twitter Hashtags of the Week

- [#eDiscovery](#)
- [#eDisclosure](#)
- [#LegalTech](#)

Vendor Views

Industry Landscape

- Actiance Selected by Smarsh as Social Media Compliance Partner - <http://tinyurl.com/6y3bsnz> (Press Release)
- An eDiscovery Update – <http://tinyurl.com/22ul3h2> (Orange Legal Technologies)
- Bridgeway Unveils Major Enhancements to LawManager – <http://tinyurl.com/3s9ztzh> (PR Newswire)
- C2C Release New Tech Tips for Eliminating Microsoft Outlook PST Files - <http://tinyurl.com/3ek9gl7> (Press Release)
- Data Storage Corporation and BlueArc Form Valuable Partnership to Deliver Increased Data Protection – <http://tinyurl.com/4yjrem3> (Marketwire)
- Detroit Legal Imaging Chooses Trial Solutions as Technology Partner - <http://tinyurl.com/3edre6d> (Press Release)
- DISH Network Brings in Redgrave LLP as National Discovery Counsel - <http://tinyurl.com/3jwygsn> (PRNewswire)
- Document Solutions Inc. (DSi) Employs Server Virtualization as Green Initiative - <http://tinyurl.com/444jhaw> (PR Web)
- doeLEGAL Selected by BASF Corporation to Manage Legal Spend – <http://tinyurl.com/3dvozt4> (PRWeb)
- DSU Discovery Installs InControl™ by Reveal Data as its Lit Supt Platform and Expands to Minneapolis - <http://tinyurl.com/3s52ql5> (PR Web)
- eDiscovery Technology TunnelVision Introduces Flexible Search – <http://tinyurl.com/3mab57x> (PR Web)
- eTERA Consulting Announces Integr1ty One Discovery Management Services - <http://tinyurl.com/435od36> (PR Web)
- Fortune 100 Technology Company Selects Recommind for Information Access - <http://tinyurl.com/3tm9zav> (Marketwire)
- Guidance Software Reports Record Q1 2011 Revenue – <http://tinyurl.com/3la4yf4> (Business Wire)
- IBM Adds Linear Tape File System Support, Larger Drives to Tape Libraries - <http://tinyurl.com/3qdhup8> (Sonja Lelii)
- Index Engines Announces Collection Engine for EMC Data Domain Storage Platforms - <http://tinyurl.com/43dgy8d> (Press Release)
- Informative Graphics Announces Release of Latest Redact-It – <http://tinyurl.com/3tlxuw7> (Press Release)
- Informative Graphics Corporation Announces Brava! 7 for EMC Documentum Webtop 6.7 - <http://tinyurl.com/3wdgx3n> (Press Release)
- Integreon Expands Operations Consulting Services for Law Firms and Corporate Legal Departments - <http://tinyurl.com/3qf63t8> (Press Release)
- Iron Mountain Raises Possible Share Buys by \$850M – <http://tinyurl.com/3g5fx2h> (Associated Press)
- Relativity 7 Pre-Release Now Available - <http://tinyurl.com/3rtlsht> (kCura)
- Lighthouse Hires Chris Dahl As Director Of eDiscovery Solutions – <http://tinyurl.com/3wrb97y> (Press Release)
- Litigation Support Industry Veteran Ed Cruz Joins Document Technologies, Inc. <http://tinyurl.com/3tgxmg4> (Press Release)
- Mark Barker joins DocAuto as Director of Development – <http://tinyurl.com/4yc7omk> (Press Release)

- MGM Studios Selects StoredIQ for In-House eDiscovery – <http://tinyurl.com/3l6hd5p> (Business Wire)
- Nexsan E-Series Offers Up 3 TB Drives Minus the Performance and Rebuild Worries - <http://tinyurl.com/3zzlw5p> (Jerome Wendt)
- Nextpoint Announces the Release of Cloud Preservation Public API - <http://tinyurl.com/3w8boln> (PRWeb)
- Project Leadership Associates Bolsters Practice with eDiscovery Certifications - <http://tinyurl.com/5w8mjaq> (Press Release)
- Recommind Adds Cloud Capabilities to Flagship Enterprise Search Product - <http://tinyurl.com/6el5453> (Marketwire)
- Recommind Forms Strategic Alliance With LexisNexis for Hosted eDiscovery Service - <http://tinyurl.com/3vhywx6> (Legal IT Professionals)
- RiverGlass Signs Key Partnership With Litigation Logistics, LLC – <http://tinyurl.com/4ywhpet> (Marketwire)
- The Dolan Company (DiscoverReady Parent) Reports First Quarter Results - <http://tinyurl.com/3mk4kw1> (Press Release)
- TransPerfect Legal Solutions and Catalyst Repository Systems Announce Partnership for Asia EDD - <http://tinyurl.com/3d6yats> (Business Wire)
- Workshare Releases Upgrade to Document Comparison Server – <http://tinyurl.com/3n5urr7> (Legal IT Professionals)
- Xerox and Cisco to Form Alliance to Deliver Cloud Services – <http://tinyurl.com/3cy8g8a> (Press Release)

eDiscovery Events

May

2011 World Technology Law Conference & Annual Meeting

May 12-13, 2011

San Francisco, CA

[Click here for more information.](#)

CEIC 2011 Computer Investigations Conference

May 15-18, 2011

Orlando, FL

[Click here for more information.](#)

LegalTech West

May 17-18, 2011

Los Angeles, CA

[Click here for more information](#)

11th Annual Inside Counsel Super Conference

May 23-24, 2011

Chicago, IL

[Click here for more information.](#)

ACC Europe – Annual Conference

May 29-31, 2011

Berlin, Germany

[Click here for more information.](#)

June

Techno Security & Digital Investigations Conference

June 5-8, 2011

Myrtle Beach, SC

[Click here for more information.](#)

eDiscovery Readiness for Government

June 6-7, 2011

Arlington, VA

[Click here for more information.](#)

Annual Discovery & E-Discovery Conference (Law Bulletin Seminars)

June 8, 2011

Chicago, IL

[Click here for more information.](#)

For Complete Events Calendar Visit: <http://www.orangelt.us/info/events/>.



About Orange Legal Technologies

OrangeLT™ is a leading provider of electronic discovery litigation, audit, and investigation services for law firms and corporations. OrangeLT™ offers a complete suite of electronic discovery services to include collection, analysis, processing, review and production of digital and paper-based information. OrangeLT™ is enabled by the OneO® Discovery Platform – an integrated, web-accessible electronic discovery platform that provides online analysis, processing, and review of unstructured data from the security of a hosted centralized repository.

- To sign up for our weekly updates, visit: <http://tinyurl.com/258nzu5>.
- For additional information on Orange Legal Technologies, visit: <http://www.orangelt.com>.