

## Unfiltered Orange | Weekly eDiscovery News Update - March 2, 2011

Compiled by [Orange Legal Technologies](#) 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 [@OrangeLT](#) on Twitter.



### eDiscovery News *Content and Considerations*

- A Civil Procedure Car Crash - <http://tinyurl.com/4gvfvq9> (Josh Gilliland)
- Amendments To Expert Witness Discovery Under Federal Rule 26 - <http://tinyurl.com/4spj8wx> (David Lender, Kevin Meade)
- Businesses Head Off eDiscovery Costs - <http://tinyurl.com/4kwf4fa> (Jason Krause)
- Can You Trust Your Data? Why Keywords and Search Alone are Not Enough - <http://tinyurl.com/4ner6vr> (Catherine van Zuylen)
- Cloud Computing Down to Earth: A Primer for Corporate Counsel - <http://tinyurl.com/49lv8rg> (Ben Kerschberg)
- Court Affirms \$13.5K Sanction For Being Evasive In eDiscovery Cell Phone Dispute - <http://bit.ly/i7dBOJ> (CA Attorneys Fees)
- Court Refuses to Read Silence as Agreement to Pay Opposition's ESI Costs - <http://tinyurl.com/4anvz3b> (Anthony Chan)
- Crafting Effective E-Mail Disclaimers - <http://tinyurl.com/4bobv9q> (Joseph Howie)
- eDiscovery Vendors Need to Focus on Execution - <http://tinyurl.com/6dm2bwu> (Albert Barsocchini)
- EU's Hustinx: Data Protection Law Sanctions Should Mirror Competition Law - <http://bit.ly/gnlZLW> (Jetty Tielemans)
- Ex-Employee's Posts About Data Loss Are Ruled Protected - <http://tinyurl.com/4fc3eb9> (Andrew Keshner)
- Google Goes to the Tape to Get Lost eMails Back - <http://tinyurl.com/474bezq> (Seth Weintraub)
- Going Native Without Bates Numbers and Making It Work - <http://tinyurl.com/4l3uzeq> (Craig Ball)
- Handling BCC Recipients in eDiscovery - <http://tinyurl.com/4c5xyty> (Greg Buckles)
- Harvard Law Forum: Delaware Court Implements Guideline Regarding the Preservation of Electronic Information - <http://tinyurl.com/49wz5zu> (Scott Hirst)
- In-sourcing and Outsourcing eDiscovery: Teaching the Enterprise to Fish - <http://tinyurl.com/4w5xk2l> (Katey Wood)
- Internet User Tracking Techniques Yield New Privacy Violation Claims - <http://tinyurl.com/4nq3ua4> (Jonathan Bick, Elan Raffel)
- Machines Versus Humans In eDiscovery - Strengths And Weaknesses - <http://tinyurl.com/4d88u5g> (Erik Laykin)
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- Maryland Backs Down After ACLU Threatens to Sue over Social Media Policy - <http://tinyurl.com/4p3pktq> (Amanda Gaines, Jen Richer)
- Metadata and Data Exchange Formats in eDisclosure – US Model for a Common-Sense Approach in UK - <http://tinyurl.com/4d6bejy> (Chris Dale)
  - Metadata, the DNA of eDiscovery, Often Holds the Key to a Litigant's Fate in Court - <http://tinyurl.com/4r4j38j> (ACEDS)
  - New York Appellate Court Refuses to Amend Confidentiality Order to Address Runaway Data Issue - <http://tinyurl.com/4cn5qew> (Thomas DeSimone)
  - No Protection Found for Sex Photos Altered to Include Minors - <http://tinyurl.com/45jg52y> (Mark Hamblett)
  - Pension Committee Retrospective: Fourth/Last Guest Blog: Redgrave, Weiner and Talbert. <http://tinyurl.com/48ebnfp> (Ralph Losey)
  - Proportionality Doctrine Reduces eDiscovery Costs and Abuses - <http://tinyurl.com/4g4pfbw> (Michael Kozubek)
  - Risks of Overbroad Demands for ESI and Improper Denials - <http://tinyurl.com/47pa6fh> (Mark Berman)
  - Sanctions Ordered Against Ga. Developer for Wiping Evidence - <http://tinyurl.com/49u3kmc> (Katheryn Hayes Tucker)
  - Social Media and Intellectual Property Risks - <http://tinyurl.com/4qk5fug> (Pria Chetty)
  - Social Networking Compliance: A Guide for IT Teams - <http://tinyurl.com/4cfny3q> (Paul Kozenlowski)
  - Texas Court of Appeals is Soft on Hard Drives - <http://tinyurl.com/67exvpy> (Mallory Griffin)
  - The California Bar Weighs in on Legal Ethics in the Cloud - <http://bit.ly/dLEAWH> (Robert Ambrogio)
  - Throwing the Laptop Off a Building; Running Over the Laptop with a Vehicle; and Stating 'If This Gets Us into Trouble, I Hope We're Prison Buddies,' Unquestionably Demonstrate Bad Faith." - <http://tinyurl.com/4hobfk9> (K&L Gates)
  - Updating Compliance Procedures To Incorporate The UK Bribery Act - <http://tinyurl.com/4dpyo2f> (John Shane, Carl Stinebower)
  - Using the Internet as a Tool for Cross-Examination - <http://tinyurl.com/4bkaeyo> (Ben Rubinowitz, Evan Torgan)
  - What We Can Learn from the Indiana Attorney General's Office - <http://tinyurl.com/4takumh> (Lora Bentley)

### *Reports and Resources*

- 2010 Internet Crime Report (PDF) <http://tinyurl.com/4mjshdd> (Internet Crime Complaint Center)
- A Couple of Late Thoughts on LegalTech NY 2011 - <http://tinyurl.com/62q2omz> (Vivian Tero)
- Breaking Down Link Rot: The Chesapeake Project Legal Information Archive's Examination of URL Stability - <http://tinyurl.com/4k9toge> (Sarah Rhodes)
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- Bytes in Brief - <http://tinyurl.com/4vwvbzi> (Sharon Nelson, John Simek)
- KMWorld 100 Companies That Matter in Knowledge Management - <http://tinyurl.com/4fweh8q> (Hugh McKeller)
  - ILTA Litigation and Practice Support White Papers - <http://tinyurl.com/4q43x69> - February 2011 (ILTA)
  - Right Sourcing Electronic Discovery - <http://tinyurl.com/2cc4shx> (Orange Legal Technologies)
  - Socially Aware: The Social Media Law Update (PDF) <http://tinyurl.com/4mcn23z> (Morrison & Foerster)

### *Technology and Tactics*

- 80% Of Browsers Have Known Vulnerabilities - <http://tinyurl.com/4gpf69p> (Mathew Schwartz)
- A New Service for Video Chatting on Facebook - <http://tinyurl.com/4fpxues> (Claire Cain Miller)
- Better Input for Mobile Devices Is on the Horizon - <http://tinyurl.com/4jsyzht> (John Edwards)
- Critics Cry 'Reboot' at Troubled Court Case Management System - <http://tinyurl.com/4hq73et> (Cheryl Miller)
- Facebook Proposes 'Data Use' Policy To Replace 'Privacy Policy' - <http://tinyurl.com/4ph2kt3> (Thomas Claburn)
- Google Declares War on Content Farms - <http://tinyurl.com/4eg23r2> (Stan Schroeder)
- How CIOs Can Devise a Social Business Strategy - <http://tinyurl.com/4azzkht> (Kristin Burnham)
- How SaaS Will Impact 6 Key Software Categories - <http://tinyurl.com/4rcdeth> (Liz Herbert, Andrew Bartels)
- How to Email Enable Your Scripts - <http://tinyurl.com/6j8f8vt> (Ed Fisher)
- IPv6: Four Steps to Take Now - <http://tinyurl.com/456tg53> (Jeff Doyle)
- The Rise of the Virtual Lawyers - <http://tinyurl.com/4o8tz5c> (John Wallbillich)
- Link Farming & Other SEO Misdeeds Make Headlines - <http://tinyurl.com/45kr4tr> (Sean Gallagher)
- Proposed Cloud - Log Standard Sparks Controversy - <http://tinyurl.com/5tty9gb> (George Hulme)
- Protecting Your Data and, More Importantly, Your Clients' Data - <http://tinyurl.com/4nbt2vw> (Ben Schorr)
- Skype Opens a Conference Call Service - <http://tinyurl.com/4uqazfd> (Verne Kopytoff)
- State CIOs Stress Cyber-Security's Importance to New Governors - <http://tinyurl.com/4kho964> (Government Technology)
- The Leaky Corporation - Digital Information Is Easy Not Only to Store But Also To Leak - <http://tinyurl.com/4al4noe> (The Economist)
- Troubleshooting Distribution Group Member Lists - <http://tinyurl.com/4sevlao> (Mike Rede)
- UK Government Gets an ICT Wakeup Call - <http://tinyurl.com/6znlc8s> (George Taylor)
- Unified Communications Faces Interoperability Challenges - <http://tinyurl.com/4syghxz>

(David Carr)

## **Vendor Views** *Industry Landscape*

- Autonomy Awarded Agreement for Digital Archive & Preservation Solutions for UK Public Services - <http://tinyurl.com/4h7w2d9> (Press Release)
- BlackBag Technologies Announces New Release of MacQuisition Forensic Imaging Solution - <http://tinyurl.com/4zh8lxc> (PRWeb)
- BZresources Offers eDiscovery As a Managed Service to Corporate Clients - <http://tinyurl.com/692pjmy> (Business Wire)
- Canadian-Based Harvester Forensics Chooses Venio FPR As Their ECA / eDiscovery Platform - <http://tinyurl.com/4sk9lw2> (Press Release)
- D4, LLC Continues Expansion into the Midwest - <http://tinyurl.com/4ur3ydm> (PR Web)
- eDiscovery Services Veteran Thomas Bonk Named Vice President of Professional Services for DTI - <http://tinyurl.com/4zoctlo> (PR Log)
- Enterprise Connect: Cisco Announces Multimedia Jabber Software - <http://tinyurl.com/4vuk4vs> (David Carr)
- Epiq Systems Profits Slip under Lawsuit, Acquisition Costs - <http://tinyurl.com/4uc9hqz> (KC Business Journal)
- Facebook Acquires Beluga, a Group Messaging Service - <http://tinyurl.com/4keem64> (Nick Bilton)
- ILTA and ACEDS become Alliance Partners - <http://tinyurl.com/4vt7hj9> (ACEDS)
- IPRO Tech Announces the Release of Copy+ 6.0 - <http://tinyurl.com/4e46oam> (Marketwire)
- Iron Mountain's eDiscovery Made 2010 a Rusty Mess - <http://tinyurl.com/6l8e8fc> (Chris Mellor)
- Iron Mountain Reports Fourth Quarter and Full Year 2010 Financial Results - <http://tinyurl.com/4emsmjn> (Business Wire)
- Kroll Ontrack Opens Document Review Facility in Dallas - <http://tinyurl.com/4ehjmqc> (Business Wire)
- Now or Later? Mobile Access to eDiscovery Analytics, Processing and Review - <http://tinyurl.com/22u89yz> (Orange Legal Technologies)
- OpenText Brings Windows and UNIX Enterprise Bus Apps to Mac OS X with Exceed onDemand 8 - <http://tinyurl.com/4am8h4j> (PR Newswire)
- Precise, Inc. Promotes Legal Software Industrialist to Chief Technology Officer - <http://tinyurl.com/6znp8w4> (PRWeb)
- SFL Data Now Certified to License Relativity Directly to Corporations, Law Firms - <http://tinyurl.com/6ymkcwn> (PRWeb)
- Socialtext 4.6 Leverages Google Analytics, IBM Lotus Sametime - <http://tinyurl.com/4hsr4kx> (Clint Boulton)
- TechLaw Solutions Names John Olsson as Director, Discovery Solutions - <http://tinyurl.com/65ttb22> (Marketwire)
- The 451 Group Releases Relativity Analysis - <http://bit.ly/i5euhE> (kCura)
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Transend Releases Major Upgrade of Transend Migrator to Increase Email Migration - <http://tinyurl.com/4cmlx63> (Business Wire)

- TrustPoint International Forges Strategic Partnership with Relativity for eDiscovery - <http://tinyurl.com/4qqpg2h> (Press Release)
- ZL Technologies: A Unified Approach To Active Archiving - <http://tinyurl.com/4zmu7zy> (David Hill)
- ZyLAB: Key Technical Considerations For International eDiscovery In 2011 - <http://tinyurl.com/66pzrv3> (Mary Mack)

**eDiscovery Events MARCH Directions 2011 - IDC** March 9, 2011 Boston, MA [Click here for more information](#). **Directions 2011 - IDC** March 15, 2011 San Jose, CA [Click here for more information](#). **Virtual LegalTech** March 17, 2011 Online [Click here for more information](#). **5th Annual Sedona Conference Program on Staying Ahead of the E-Discovery Curve** March 17-18, 2011 San Diego, CA [Click here for more information](#). **ACED Annual E-Discovery Conference** March 23-25, 2011 Hollywood, FL [Click here for more information](#). For Complete Events Calendar Visit - [Click here](#).



**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.

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