

Unfiltered Orange | Weekly eDiscovery News Update - April 6, 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*

- 10 Key eDiscovery Issues In 2011: Expert Insight to Manage Successfully - <http://tinyurl.com/3syb7wa> (David Lender, Hon. Andrew Peck)
- Blogging, Friending and Tweeting: What Lawyers Should and Should Not Do - <http://tinyurl.com/3lrzmna> (Chris Dale)
- Brag Busters: Discipline Is on the Way for Social Media Malefactors, Panel Says - <http://tinyurl.com/4xmve8j> (Joe Dysart)
- Communication With Counsel Not Always Private - <http://tinyurl.com/3zyeo9t> (Fred Blum, Antonio Garcia)
- Court in California Bounces Copyright Suit Over 26-Word Listserv Post - <http://bit.ly/hGA4EE> (Eric Johnson)
- Deal Reached on Access to Toyota's Source Code - <http://tinyurl.com/4x5vyb8> (Amanda Bronstad)
- Digital Forensic Analyst Uncovers Metadata Back-dating: Supports \$1 Million Sanction - <http://bit.ly/dZ8jt7> (Patrick Burke)
- Does One Size Fit All? What to Consider in Drafting an Effective Social Media Policy - <http://bit.ly/eDSwMI> (Joshua Kubicki)
- Double Delete Doesn't Do It - <http://tinyurl.com/3sf6qkq> (Craig Ball)
- E-Discovery Results in Second Look at Records Management Policies - <http://tinyurl.com/49t39v7> (Allen Smith)
- Epsilon Email Hack Exposes Bank, Business Customers - <http://tinyurl.com/3bwbuoj> (Thomas Claburn)
- Ethics and Competence Issues Abound in eDiscovery expert Panelists Say - <http://tinyurl.com/3o3hymm> (ACEDS)
- Everything New is Old Again - <http://tinyurl.com/3dofxud> (Herbert Roitblat)
- I Deleted Your Damning Evidence and There's Nothing You Can Do About It - <http://tinyurl.com/3rlc8cf> (John Rancourt)
- If Preservation Isn't Fit, They Might Acquit! <http://tinyurl.com/3on4m3d> (Devin Krugly)
- Hindsight No Help After Negotiating a Confidentiality Order - <http://tinyurl.com/427dn38> (Jessica Rauskolb)
- Impersonating an Employee: New Ways Businesses are Getting into Trouble via Social Media - <http://tinyurl.com/3j2n6ve> (Craig Moore)
- Increasing Predictability In Employment Case Results - <http://tinyurl.com/3kkw43g> (Roy Futterman)
- Integrity: Securities Industry and Financial Markets Association

- Conference Comments - <http://tinyurl.com/3hb2psc> (Derek Schueren)
- Judge Rules Anti-Spam Law Applies to Fake Facebook Pages - <http://tinyurl.com/6d3jnbh> (Nate Raymond)
 - Litigation Costs Risk Choking the Goose: US Judge Rader Wants to Limit Discovery to Cut Costs - <http://tinyurl.com/3d28aqu> (Chris Merritt)
 - Making Sense Of Recent HIPAA Enforcement Activity - <http://tinyurl.com/3g54ckx> (Jo-Ellyn Sakowitz, Kristen Henderson)
 - Metadata Should be Included in Federal FOIA Response - <http://tinyurl.com/3dks5g7> (Bill Tolson)
 - Minimizing Discovery Costs - <http://tinyurl.com/424ncun> (Hon. William Dreier)
 - No Adverse Inference Unless the Destroyed Evidence Adversely Infers Something - <http://tinyurl.com/3mazkqp> (Shaun Salmon)
 - Pdf? Jpg? Docx? Html? Wtf? <http://tinyurl.com/4vc6prj> (Joscelyn Kaup)
 - Principles Of Corporate Governance And What This Means For Your Info - <http://tinyurl.com/44u9qtm> (Bob Kirtley, Maura Dunn, Paula Walker)
 - Publisher Conde Nast Falls into \$8 Million Email Trap - <http://tinyurl.com/6e7955k> (Basil Katz, Terry Baynes)
 - Samsung Cleared of Keylogger Accusation - <http://bit.ly/gUf0l3> (Ian Paul)
 - States Attempt to Address Privacy Risks Associated with Digital Copiers and Electronic Waste - <http://tinyurl.com/3upk8ko> (Hunton & Williams)
 - The Blind CC'ing the Blind - <http://tinyurl.com/3pqq468> (New Jersey Law Journal)
 - The Confirmation of Existence...Of Responsive ESI - <http://tinyurl.com/3tgpyuq> (Josh Gilliland)
 - The Growing Business of Online Reputation Management - <http://tinyurl.com/3gselb5> (Nick Bilton)
 - The Future of IT, Security, Privacy, Compliance and eDiscovery - <http://tinyurl.com/4xzvkv2> (John Watkins)
 - The Litigator's Guide to E-Discovery Sanctions: Who Pays the Piper When ESI "Disappears"? <http://tinyurl.com/3n3e557> (Kevin Burns)
 - To Edna and Beyond: The Ernie Challenge - <http://tinyurl.com/43qd7lo> (Tom O'Connor)
 - [Update] Pulte Gets Pinched for Spoliation - <http://tinyurl.com/44omlwn> (Christopher Spizzirri)
 - What Can Companies Do To Monitor Employees on Social Media? <http://tinyurl.com/6dpcdcb> (David Gold)
 - When Employees Sneak Into Consumer Clouds - <http://bit.ly/dFXcvy> (Maria Korolov)
 - Wining, Dining and Prosecution Under the U.K. Bribery Act - <http://tinyurl.com/43agk94> (Gina Passarella)

Reports and Resources

- 3rd Annual eDiscovery Survey Shows It's All About Choices - <http://tinyurl.com/3kovk7p> (Tom O'Connor)
- Compliance with Online Behavioral Advertising Notice and Choice Requirements - <http://tinyurl.com/64srsyu> (CyLab-Carnegie Mellon University)
- American Century Releases New Social Media Study - <http://t.co/eJM3NAI> (Chad Bockius)
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Best Practices Study of Social Media Records Policies (PDF) <http://tinyurl.com/3nlqn7l> (C&T SIG)

- E-Discovery Team Training - Vendor Education Supplemental Classes - <http://tinyurl.com/3vxnwub> (Ralph Losey)
- Enterprise Merger and Acquisitions in Pictures from The 451 Group - <http://on.wsj.com/glZaq8> (Tiernan Ray)
- How Much Data is That? (InfoGraphic) <http://tinyurl.com/3pnjg57> (Focus)
- Offshore Servers and International Law - <http://tinyurl.com/4lpcc6c> (Steven Swanson)
- Storage Networking World - Spring Conference Presentation Downloads - <http://tinyurl.com/3nsf6h6> (SNW)
- Who is Responsible for 'Personal Data' in Cloud Computing? <http://tinyurl.com/4y3l9za> (Kuan Hon, Christopher Millard, Ian Walden)

Technology and Tactics

- 6 Tips for Effective Inbox Management - <http://tinyurl.com/4ajwr6q> (Mike Wheatley)
- An App that Records all your Phone Activity - <http://tinyurl.com/3o4kpyl> (Amit Agarwal)
- CLE Accreditation Denied: Top 10 Reasons Why - <http://tinyurl.com/3z76ldo> (Tim Baran)
- Comparing Microsoft Exchange with Google Apps for Email - <http://tinyurl.com/3spy5qa> (Paul Mah)
- Creating a Catalyst for Change - <http://tinyurl.com/63wzdxx> (Lisa Girmscheid)
- EU Video Directive Does Apply to Newspaper-Published Video, says Regulator - <http://tinyurl.com/43yrlax> (Pinsent Masons)
- Enterprise Applications vs. Point Solutions: Penny Wise, Pound Foolish - <http://goo.gl/AKDko> (Howard Sklar)
- Explaining the Hub Transport Server Role - <http://tinyurl.com/3bacegq> (Mike Rede)
- Five Guidelines to Best Implementing Deduplication - <http://tinyurl.com/3j6bcx9> (Jerome Wendt)
- Get Tech-Knowlogy and Reap the Benefits - <http://tinyurl.com/6bxva44> (Roman Fichman)
- Google, Facebook take France to Court over Privacy - <http://tinyurl.com/3buwjx3> (AFP)
- In the Cloud - <http://tinyurl.com/3onxkj3> (Steven Vaughan-Nicoles)
- Legal Technology Shifts for an Economic Rebound – Are You Ready? <http://tinyurl.com/3hol2p6> (Dave Glynn)
- Search Evolves to Solve Business Problems - <http://tinyurl.com/43jc5yg> (KM World)
- Social-Media Tools Used to Target Corporate Secrets - <http://tinyurl.com/5sdg6ow> (Byron Acohido)
- Tech M&A Spending hits Post-Recession High - <http://bit.ly/hwsWnq> (Brenon Daly)
- The Many Colors of Cloud Encryption - <http://tinyurl.com/4auszoa> (Ashvin Kamarju)
- The Top 20 Cloud Storage Vendors of 2011 - <http://tinyurl.com/4a6whj4> (Computer Reseller News)
- The Use of Audit Analytics in a Best Practices FCPA Compliance Program - <http://tinyurl.com/43qmfvt> (Thomas Fox)
- The RSA Hack - How They Did It - <http://nyti.ms/gzcGBi> (Riva Richmond)
- Troubleshooting Email Messages using SMTP Headers - <http://tinyurl.com/4wynlbw> (Ed Fisher)
- What Comes After Keyword Search? (Podcast) <http://tinyurl.com/4gnun6m> (Tom Mighell,

Dennis Kennedy)

- What Twitter's Inactive Users Mean for YOU - <http://tinyurl.com/3ul8q73> (Nicole Ferraro)
- When Buffer Overflows in Printers Become a Risk - <http://tinyurl.com/479ay5o> (H Security)
- Who Owns Twitter Hashtags? <http://tinyurl.com/44afl6w> (Elie Mystal)

Twitter Hashtags of the Week

- [#ABATechShow](#)
- [#eDiscovery](#)
- [#SNWUSA](#)

Vendor Views *Industry Landscape*

- AbsoluteProof® WebSeal™ for Web-page Evidence Collection, Integrity Preservation - <http://tinyurl.com/3gqb8cm> (PR Web)
- AccessData Unveils Single-Server, Self-Hosted Summation Legal Review Platform - <http://tinyurl.com/3k4fv6j> (PR Log)
- Actiance Teams With LinkedIn to Enable Compliance With Financial Services Industry Guidelines - <http://tinyurl.com/4lepezs> (Marketwire)
- Agreement Makes LexisNexis Exclusive 3rd Distributor of Industry-Leading Legal Content from ALM - <http://tinyurl.com/3ujfaky> (Business Wire)
- Apache Lucene and Solr 3.1 Released - <http://tinyurl.com/3t4chrw> (Dj Walker-Morgan)
- Complete Cloud Package - <http://tinyurl.com/3nf95fm> (Sean Doherty)
- Digital Reef Recruits Chris Risley as CEO - <http://tinyurl.com/4uorv8w> (Business Wire)
- EMC Acquires network Security Firm, Netwitness - <http://bit.ly/eKMEOz> (Leena Rao)

- Epiq Systems buys Encore for \$100m cash, Doubles eDiscovery Business - <http://ht.ly/4sXFu> (Business Wire)

- Estimating Analytics, Processing, and Review? eDiscovery Pricing Estimation Calculator - <http://tinyurl.com/38vzqad> (ComplexDiscovery)
- Evidence Exchange Achieves Relativity Best In Service Status - <http://tinyurl.com/42dij5g> (PRWeb)
- Fios' Revolving Door - <http://tinyurl.com/3qktbnz> (Monica Bay)
- FTI Announces That Schonbraun McCann Group and Brewer Businesses Adopt the FTI Consulting Brand - <http://tinyurl.com/3hddvot> (Business Wire)
- GGO/Digital WarRoom Software, Priced under \$1000 Makes Professional, Affordable eDiscovery a Reality - <http://tinyurl.com/3ark6n9>
- Guidance Software Announces 2011 Annual Meeting of Shareholders - <http://tinyurl.com/3q3saou> (Business Wire)
- Huron Consulting Group Bolsters eDiscovery and Legal Technology Services - Adds LECG eDD Unit - <http://tinyurl.com/4gvzb39> (Business Wire)
- kCura Names Planet Data a Relativity Best in Service Partner -

<http://tinyurl.com/3cmbegk> (kCura)

- Learjet Deploys Clearwell for In-House eDiscovery - <http://tinyurl.com/3f226t9> (Press Release)
- Legal Service Providers Association Welcomes New Charter Members - <http://tinyurl.com/445kole> (LegalSPA)
- Litigation Is Good News for Navigant and FTI Consulting - <http://tinyurl.com/4248wnj> (Swami Shanmugasundaram)
- New State of the Art Facility Supports Continued Growth of eDiscovery Business - <http://tinyurl.com/4u7utdb> (Orange Legal Technologies)
- Novell Debuts Enterprise Vibe Cloud Collaboration - <http://tinyurl.com/436r7pq> (David Carr)
- Oracle Expands App-to-Disk Infrastructure With Integrations for Oracle's Sun ZFS Storage Appliance - <http://tinyurl.com/3sycjr8> (Marketwire)
- OrcaTec Announces Document Decisioning Suite - <http://tinyurl.com/3w5mpgr> (PRWeb)
- RenewData Hires a Trio of Industry Experts to Enhance Client Service Delivery - <http://mwne.ws/eKJqJ2> (Marketwire)
- Stroz Friedberg Launches Early Case Assessment Tool - <http://tinyurl.com/42rzhwu> (PR Newswire)
- Symantec System Recovery Empowers USB Devices with Recovery Capabilities - <http://tinyurl.com/4ysr8wu> (Jerome Wendt)
- The Oliver Group Creates and Implements Automated Block Level Tape Copy Suite - <http://tinyurl.com/3dc49n2> (PR Web)
- Xact Data Discovery Assigns Thomas Bishop as Director of eDiscovery Sales - Dallas, TX Branch - <http://tinyurl.com/3g9ctja> (Marketwire)
- Zapproved Secures \$1.45 Million Series B Funding - <http://tinyurl.com/3kzddal> (Marketwire)

eDiscovery Events **April 13th Annual Sedona Conference on Complex Litigation - The Future of Civil Litigation 2** April 7-8, 2011 Del Mar, CA [Click here for more information](#). **ABA TECHSHOW** April 11 - 12, 2011 Chicago, IL [Click here for more information](#). **The Computer Forensics Show** April 19-20, 2011 New York, NY [Click here for more information](#). **May DoDIIS Worldwide Conference** May 1-5, 2011 Phoenix, AZ [Click here for more information](#). **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](#). 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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