

Unfiltered Orange | Weekly eDiscovery News Update

September 21, 2011

Highlighted in Forbes' Law & Technology Blog as one of [Eight Great Law & Technology Resources](#), Orange Legal Technologies' *Unfiltered Orange* Weekly eDiscovery News Update provides readers with a trusted compilation of key public domain eDiscovery news, views and events.

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eDiscovery News

Content and Considerations

- A Look at ECA: Simplicity, Integration Keys to Early Case Assessment – <http://tinyurl.com/43k4dxf> (Evan Koblentz)
- Advisory Committee Makes No Progress with Data Preservation Reform - <http://tinyurl.com/3zz3pny> (BLLAWG)
- An Open Letter to the Judiciary – Can We Talk? (Part Two) – <http://tinyurl.com/3msncq9> (Ralph Losey)
- Court Denies Motion to Exclude Inadvertently Produced Email, Rejects Argument that 26(b)(5)(B) Request for the Email's Return Satisfied FRE 502(b)(3) Obligation – <http://tinyurl.com/3d3r6z1> (K&L Gates)
- Courts Embrace Sua Sponte Imposition of Rule 502 Clawback Provisions - <http://tinyurl.com/3pp2jlc> (Stephen Finley)
- Digging Out of the eDiscovery Morass One Idea at a Time – <http://tinyurl.com/6f7slkq> (Gina Passarella)
- Disclosure of Information on Social Networking Websites - <http://tinyurl.com/3gnqpxu> (Patrick Connors)
- eDiscovery in Exchange – Introduction – <http://tinyurl.com/44oxkcr> (Aaron Denton)
- eDiscovery Law: Texas Rule 196.4 Protects Parties from “Undue Burden or Cost” <http://tinyurl.com/4xfx9he> (Doug Austin)
- E-mail eDiscovery – Can I Have Attachments With That Order? – <http://tinyurl.com/4y484w6> (Dennis Kiker)
- Email Isn't eDiscovery Top Dog Any Longer, Recent Survey Finds - <http://tinyurl.com/3uhy3jz> (Dean Gonsowski)
- EU Privacy Watchdogs to Form Opinion of Advertising Code's Compliance with Cookie Laws - <http://tinyurl.com/3hvmmyg> (Pinsent Masons)
- Florida Moving to Adopt Federally-Inspired eDiscovery Rules – <http://tinyurl.com/3wudme9> (William Hamilton)
- Freedom Watch Founder's \$1B Suit Against Facebook Dismissed – <http://tinyurl.com/3kkz7tq> (Zoe Tillman)
- FTC Proposes Updates to Online Privacy Rules for Children – <http://tinyurl.com/3rdav8v> (Brian Glaser)
- Google History Forensics - <http://tinyurl.com/3gljl56> (Craig Ball)
- Individual Lacks Privacy Expectation in Text Messages or Numbers Dialed - <http://tinyurl.com/42bw3w7> (Bloomberg Law)

- In-House Rules of the Road for Litigation Hold Memos – <http://tinyurl.com/3ue62w4> (Ileana Blanco)
- Insights on the Application of the Safe Harbor Rule in the PRC Internet Industry (PDF) <http://tinyurl.com/3d37xbm> (Morrison Foerster)
- Internet Privacy: The Impact and Burden of EU Regulation – <http://tinyurl.com/6cr69m9> (Peter Swire)
- Iowa Ethics Panel Addresses Cloud Computing – <http://tinyurl.com/3ghbe9l> (Rush Nigut)
- Irish Companies Face Increasing eDiscovery Challenge – <http://tinyurl.com/6aht7ly> (Gordon Smith)
- Is Cost-Shifting the Next eDiscovery Game-Changer? <http://tinyurl.com/3nd8xcx> (Leonard Deutchman)
- J-M Manufacturing Tries to Clawback Privileged Documents at Issue in McDermott Malpractice Case - <http://tinyurl.com/3tlubxt> (Doug Austin)
- Judge Considers Pledge for Jurors on Internet Use - <http://tinyurl.com/4yt42ul> (Colin Moynihan)
- M&A Activity in eDiscovery Back in the Highlight – <http://tinyurl.com/4556r66> (Mary Jo Zandy)
- Metadata, eDiscovery, and E-Public Records in North Carolina - <http://tinyurl.com/3r3o9n2> (Kara Lillonzi)
- New Zealand Overhaul of Discovery Rules: Reformed Discovery Law is Likely on 1 February 2012 - <http://tinyurl.com/43eko3n> (Richard Lange)
- Predictive Analytics and Artificial Intelligence... Science Fiction or eDiscovery Truth? <http://tinyurl.com/3tz7qx8> (Hudson Legal)
- Preparing eDiscovery Data for Review - <http://tinyurl.com/6a5zeoe> (Steve Akers, Chris Dale, Peter Mansmann)
- Product Integration, M&A in eDiscovery's Future – <http://tinyurl.com/6dcxalt> (Evan Koblenz)
- Social Media and Disasters: Current Uses, Future Options, and Policy Considerations (PDF) <http://tinyurl.com/3esycs5> (Bruce Lindsay)
- Social Media: the Next eDiscovery Elephant in the Corner - <http://tinyurl.com/3rgj3vo> (Johannes Scholtes)
- Social Networking in Wrongful Termination Cases - <http://tinyurl.com/3pfqro3> (Josh Gilliland)
- Spat Between Texas Federal Judges Goes Public via E-Mail – <http://tinyurl.com/3dfwlcx> (John Council)
- Structured and Unstructured Content Trump Email as New Primary Info Sources for eDiscovery - <http://tinyurl.com/6c42rcs> (Joshua Kunkle)
- The Misunderstandings of Ownership (Copyright and Internet Postings) - <http://tinyurl.com/y195vn8> (Brock Shinen)
- The Needle on the Broken Record – Why UK Law Firms Should Go To US Legal Conferences - <http://tinyurl.com/4xfyo2d> (Chris Dale)
- Thoughts on Electronic Discovery's Per Gigabyte Pricing Model - <http://tinyurl.com/3m69zna> (Bob Krantz)
- Verdict for DuPont in Trade Secret Theft and eDiscovery Sanctions Case - <http://tinyurl.com/3em3n7j> (Philip Favro)
- Video Sharing Sites and the Debate Over the DMCA Safe Harbor – <http://tinyurl.com/4xs73> (Richard Raysman, Peter Brown)
- Will Twitter Succeed in Trademarking 'Tweet'? <http://tinyurl.com/65cldek> (Amy Miller)

Reports and Resources

- "8 Great Law & Technology Resources" – Forbes - <http://onforb.es/nydgCD> (Ben Kerschberg)
- 14 Translations of the FCPA – <http://tinyurl.com/4y3twk2> (FCPA.me)
- Americans and Text Messaging – <http://tinyurl.com/3pkahoo> (Aaron Smith)
- The 451 Group – Research Overview: Clouds, Continents and Providers – <http://tinyurl.com/6xdamzm> (@ComplexD)

- DRAFT Recommendation for Applications Using Approved Hash Algorithms - <http://tinyurl.com/3z5sb37> (NIST)
- How Do Roles Generate Reasons? An Essay on the Methods of Legal Ethics - <http://tinyurl.com/3prf4fz> (Stephen Galoob)
- IDC MarketScape: Worldwide Standalone ECA Applications 2011 Vendor Analysis - <http://tinyurl.com/3llks4q> (Business Wire)
- ILTA 2011 Legal Project Management Staff Roles Survey – <http://tinyurl.com/3wtwu2r> (Paul Easton)
- NIST released draft SP 800-30 Rev. 1 Guide for Conducting Risk Assessments (PDF) <http://fis.ma/qtL5wo> (NIST)
- Precedential Constraint, its Scope and Strength: A Brief Survey of Possibilities and Merits - <http://tinyurl.com/3cawgvj> (Larry Alexander)

Technology and Tactics

- Be Prepared for Master Boot Record Attacks – <http://tinyurl.com/3rcbm88> (John Mello)
- Cloud Plays Disruptive Role in Financial Services – <http://tinyurl.com/3n3fvrl> (Charles Babcock)
- Creating a Comprehensive Risk Management Program – <http://tinyurl.com/6h2wjmp> (Linda Will)
- Executives May Be Too Confident on Cybersecurity, Survey Finds – <http://tinyurl.com/3neog92> (Somini Sengupta)
- FCC Releases Proposed Internet Closed Captioning Rules – <http://tinyurl.com/3cnlzug> (Brian Hurh)
- GSA Eases Cloud Computing Procurement for Federal Government - <http://tinyurl.com/3wdp8mk> (Project Counsel)
- HHS Unveils Personal Health Record Privacy Notice – <http://tinyurl.com/3o9xmzf> (Nicole Lewis)
- Inside Exchange-Best Practices for DAGs – <http://tinyurl.com/3hc7fcp> (Casper Manes)
- Is The Cloud Safe For Health Apps? <http://tinyurl.com/3wyl3pm> (Marianne Kolbasuk McGee)
- IT Ratchets up Social-Media Involvement - <http://tinyurl.com/3q9jvel> (Michael Fitzgerald)
- NIST Releases Federal Cloud Roadmap, Architecture -<http://tinyurl.com/3efu6zl> (Elizabeth Montalbano)
- Patent Suit Uses Lycos Search to Target Alleged Infringers – <http://tinyurl.com/3vbxnd4> (Nate Raymond)
- PowerShell Basics in Microsoft Exchange 2010 – <http://tinyurl.com/3ense8y> (Jeff Orloff)
- Setting Boundaries for Internet Privacy - <http://tinyurl.com/3lx8lnf> (Kevin O'Brien)
- SLAs Throttle Cloud Adoption - <http://tinyurl.com/3gj8gzb> (Pam Baker)
- Social Media Governance-5 Reasons New Technology Applications Are Better Than Email - <http://tinyurl.com/3o8n5df> (Cary Calderone)
- The 24: Canada's Top Legal Social Media Influencers – <http://tinyurl.com/3lrh6tk> (Jordan Furlong, Warren Smith)
- The FTC May Soon Crack Down On Social Media Credential Fraud - <http://tinyurl.com/3ev4hca> (Bradley Shear)
- The Strange Case of IE9, MMC, and Exchange – <http://tinyurl.com/3rg2ydt> (Tony Redmond)
- Today's CIO: Where Business Strategy Meets IT - <http://tinyurl.com/3pnkgnd> (Ben Kerschberg)
- Unleashing the True Power of Cloud Computing – <http://tinyurl.com/3k7yy6l> (Bill Kalma)
- What Can we Learn from Europe about Online Privacy? <http://tinyurl.com/4xtlvkz> (John Moe)
- What is the Real impact of Social Media for Financial Advisors? – <http://tinyurl.com/44oa9sc> (Christie Campbell)
- Windows 8: A First Look - <http://tinyurl.com/3br9npp> (Byte)
- Your Government, on Twitter - <http://tinyurl.com/3g4cvts> (Jesse Londin)

Twitter Hashtags of the Week

- [#ACCAM11](#)
- [#eDiscovery](#)
- [#IEDC11](#)

Vendor Views

Industry Landscape

- 2011-2012EDRM Mid-Year Meeting Details -<http://tinyurl.com/3b4lg4w> (George Socha, Tom Gelbman)
- Alexander Gallo Holdings Obtains Court Authority to Make Payments to Affiliate Court Reporters - <http://tinyurl.com/43dc3vp> (PR Newswire)
- Apache Lucene/Solr 3.4.0 Released, Brings Improved Indexing, Faster Search, Bug Fixes - <http://tinyurl.com/3nco8wl> (Angelo Racoma)
- Applied Discovery Adopts LEDES Codes to SimplifyeDiscovery Billings - <http://tinyurl.com/3lfgf7e> (PR Web)
- AttorneyFee Launches at TechCrunch Disrupt – <http://tinyurl.com/3b67j94> (Business Wire)
- C&C Software Announces the Launch of MailStore Server – <http://tinyurl.com/3mvm4kk> (PR Web)
- Capstone Advisory Group Selects Mindseye Solutions' TunnelVision - <http://tinyurl.com/4xedg84> (PR Web)
- Cernam Raises the Bar for Capturing and Preserving Online Content as Evidence - <http://tinyurl.com/3b66be8> (Brian Musthaler)
- CommVault Going it Alone – <http://tinyurl.com/44abag4> (Brenon Daly)
- Complete Discovery Source, Inc. Completes Its SAS 70 Type 2 Audit - <http://tinyurl.com/3b3hmap> (Marketwire)
- Dedupe on a Chip: New BridgeSTOR Virtual Storage Hardware – <http://tinyurl.com/3gttd4t> (Scott Fulton)
- Donovan & Watkins Brings Staffing and E-discovery Services to Chicago Area - <http://tinyurl.com/4x44mfa> (Business Wire)
- Exterro Fusion® E-Discovery Software Platform Named as Trend-Setting Product for 2011 by KMWorld - <http://tinyurl.com/3eczny4>(Market Wire)
- Mimecast Solution Wins Gold in Product Review from Leading Exchange Community - <http://tinyurl.com/669o662> (Business Wire)
- MongoDB Selected as Core Content Management Component of SAP's Platform-as-a-Service (PaaS) - <http://tinyurl.com/3w6sv9e>(Marketwire)
- Nextpoint Announces YouTube Channel Support in Cloud Preservation Product - <http://tinyurl.com/3vd6nzt> (PR Web)
- Nextpoint's Cloud Preservation: Preserving Social Media - <http://tinyurl.com/3aut36a> (Sharon Nelson)
- NTT America LaunchesCloud Backup, Archiving, Compliance Services - <http://tinyurl.com/3frd7vr> (Deni Connor)
- Proofpoint Delivers Enhanced Security and Compliance for VMware Zimbra® - <http://tinyurl.com/3zcr23q> (Marketwire)
- Savvis Goes Around The World In 50 Data Centers – <http://tinyurl.com/3wckc2a> (Charles Babcock)
- Smartlogic Tags SchemaLogic: New Taxonomy Super Firm Created - <http://tinyurl.com/42dx17c> (Stephen Arnold)
- Standalone ECA? <http://tinyurl.com/3ntz7sv> (@ComplexD)
- StoredIQ Named a Leader in 2011 IDC MarketScape – <http://tinyurl.com/3pxkw92> (Business Wire)
- Summation Slated for November Refresh - <http://tinyurl.com/65n6rj5> (Evan Koblentz)

- The World According to Dell: From Hardware to Software and Now to the Cloud - <http://tinyurl.com/3c3ja2a> (Chris Preimesberger)
- TransPerfect Expands Use of Nuix eDiscovery Software with State of the Art Hosting Center - <http://tinyurl.com/3far5cj> (Business Wire)
- Vendor Websites: Plaudits and Pet Peeves – <http://tinyurl.com/3cejm7e> (Monica Bay)
- ZL Technologies' Kon Leong - <http://tinyurl.com/3ztu59t> (Nancy Weil)
- ZyLABeDiscovery & Production System Honored by KMWorld Magazine - <http://tinyurl.com/3zr83u2> (Press Release)

eDiscovery Events

SEPTEMBER

Third Annual Intermountain eDiscovery Conference

September 22, 2011
Salt Lake City, UT

Hosting & Cloud Transformation Summit

September 25-27, 2011
Las Vegas, NV

Corporate Counsel Exchange – Asia Pacific

September 25-27, 2011
Hong Kong

OCTOBER

Social Media: Risks and Rewards

October 3, 2011
New York, NY

Masters Conference “Security, Privacy and Compliance within Corporate Litigation”

October 3-5, 2011
Washington, DC

Law Tech Texas

October 5, 2011
Dallas, TX

National Labor Law Symposium

October 5, 2011
Chicago, IL

E-Discovery Ireland

October 6, 2011
Dublin, Ireland

Storage Networking World

October 10-13, 2011
Orlando, FL

LITCON 11

October 16, 2011
Washington, DC

Gartner Symposium/ITxpo

October 16-20, 2011
Orlando, FL

Argyle Executive Forum

October 18, 2011
New York, NY

ACC Annual Meeting

October 23-26, 2011
Denver, CO

15th Annual IT.CAN Conference

October 27-28, 2011
Toronto, Canada

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.

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