

Unfiltered Orange |

Weekly eDiscovery News Update – May 4, 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

- 9th Circuit Ruling Hinges on ‘Exceeds Authorized Access’ in CFAA - <http://tinyurl.com/3tu5qja> (Ginny LaRoe)
- Big Data and Tolkien’s Seeing Stone - <http://tinyurl.com/42xr82v> (Jon Neiditz, John Martin)
- Biglaw Litigators, Rejoice! A Circuit Court Opinion on a Discovery Dispute - <http://tinyurl.com/3ehlbf9> (David Lat)
- California Subpoenas: Invitation to Comment on ESI – <http://tinyurl.com/3tqnh7h> (Josh Gilliland)
- Can Technology ‘De-Commoditize’ Document Review? <http://tinyurl.com/6jorr5u> (Robert Trenchard, Steven Berrent)
- Cease-and-Desist Letter Alone Ruled No Basis for Jurisdiction – <http://tinyurl.com/3jufwqt> (Sheri Qualters)
- Court Declines to Compel Government to Contribute to Creation of Database to Ease Defendant’s Discovery Burden, Recommends Application for Assistance Pursuant to Criminal Justice Act – <http://tinyurl.com/4xnvo7h> (K&L Gates)
- Courts Struggle With Police Searches of Smartphones – <http://tinyurl.com/44db5qb> (Joshua Engel)
- Defense Challenges Enhanced Audio in Foreign Bribery Case – <http://tinyurl.com/42gpvhb> (Mike Scarcella)
- Diamonds in the Rough: Finding Gems in a Well-Executed Document Review (PDF) <http://tinyurl.com/4y9rwe3> (Cathleen Peterson, Benita Sumey, Jennifer Fiorentino)
- E-Discovery, My How You’ve Grown! <http://tinyurl.com/3mduqhr> (John Tredennick)
- E-Discovery Traffic Control – Merging on the Litigation Superhighway - <http://tinyurl.com/3nvgvjj> (Dennis Kiker)
- Employer Restrictions on Social Media Use May Be Subject to Lawsuits - <http://tinyurl.com/426dlft> (PR Web)
- Facebook’s Impact on Compliance Codes – <http://tinyurl.com/43tr8tm> (Ryan McConnell, Katharine Southard)
- Facebook Must Produce — Not Merely “Provide Access” — to ESI in Native Formats - <http://tinyurl.com/3vmpn3f> (Ben Kerschberg)
- “Friends Of E-Discovery” Encourage Discussion And Collegiality – <http://tinyurl.com/3e8rp5o> (Tami Kamin-Meyer)
- Get the Most out of Your Expert Witness - <http://tinyurl.com/44sulp> (Gay Grunfeld, Leslie Thornton)
- Here’s What Happens When the Police Subpoena your Facebook – <http://tinyurl.com/3uxjtct> (Matthew Panzarino)
- Internal Investigations And The Data Explosion – <http://tinyurl.com/3vut4nz> (Howard Sklar)
- Judge Grimm on Ignorance of eDiscovery Rules and Lack of Consistency from Courts - <http://tinyurl.com/3ardzt6> (Chris Dale)
- Mitigating FCPA Risk And Issues To Consider In Conducting Investigations - <http://tinyurl.com/44yjn6h> (Thomas Engelhart)
- More on Craig Ball’s EDna Challenge - <http://tinyurl.com/3ggxdmk> (Sharon Nelson)

- OMG: Tweets, Facebook Welcome in Mass. Courtroom – <http://tinyurl.com/3rncbzs> (Denise Lavoie)
- Online Advertising Techniques Evolve as Federal Scrutiny Increases - <http://tinyurl.com/6chnndc> (Alan Friel)
- Prosecuting Internet Bad Acts Using Nuisance Law – <http://tinyurl.com/6h76ojb> (Jonathan Bick)
- Q&A: Howie and Martin: Experts Discuss Overlooked Aspects of Bringing eDiscovery In-House - <http://tinyurl.com/3cq2fo8> (Kayleigh Roberts)
- Return on Investment (ROI) of In-House Electronic Discovery – <http://tinyurl.com/3qaens2> (Alan Brooks)
- Reuniting Scattered Documents For More Efficient Review: An Evidence Exchange Case Study - <http://tinyurl.com/3lrlkex> (Michael Prounis)
- States Take Practical Steps to Respond to Data Breaches – <http://tinyurl.com/3fafz4p> (Nick Akerman, Melissa Krasnow)
- The FCPA And UK Bribery Act: Compliance Programs Essential – <http://tinyurl.com/3okx2ur> (Anthony Pacheco)
- The Five Hottest Topics in eDiscovery Today – <http://lnkd.in/6925mh> (Ben Kerschberg)
- The Increasing Complexity Of Privacy and Security Law -<http://tinyurl.com/3dtkysc> (Kirk Nahra)
- The Latest from the NLRB on Social Media – <http://tinyurl.com/3lx26k6> (Philip Gordon)
- The Processing Mountain Was Blocking The View – New Mountains To Climb In E-Discovery - <http://tinyurl.com/3ka7z6a> (Warwick Sharp)
- The State of BigLaw: What the AmLaw 100 2011 and Two Other Reports Today Tell Us - <http://tinyurl.com/5w3blx2> (Ron Friedmann)
- UK Bribery Act To Come Into Force On July 1, 2011; Final Guidance Issued - <http://tinyurl.com/445vpdo> (Justin Williams, Wynn Segall)
- Unified Cloud-Based Legal Repositories And Process Innovation Driving eDiscovery Efficiencies - <http://tinyurl.com/3uldmd4> (David Bayer, Sanjeev Srivastav)
- Unless Your Data Capacity is Unlimited, You Don't Have Enough – <http://tinyurl.com/43arxqk> (Victor Limongelli)
- Until Rules Change, 2010 Cases Set Preservation Standard – <http://tinyurl.com/3ltmqky> (Brad Harris, Ron Hedges)
- Yammer, Chatter, Hot Water – Corporate Social Networks Have Advantages—and Perils - <http://tinyurl.com/3lbz4vz> (Ashlee Vance)

Reports and Resources

- Bytes in Brief – May 2011 Edition - <http://tinyurl.com/4xbyvgb> (Sharon Nelson, John Simek, Jason Foltin)
- eDiscovery Institute Announces Legal Technology Leadership Summit - <http://tinyurl.com/44g9u29> (PR Web)
- Freedom of the Press 2011 Survey: Greatest Threats to Independent Media - <http://tinyurl.com/6g8s7cd> (Freedom House)
- It's Not a Royal Wedding, It's an Adventure – My New Book on eDiscovery is Now Available - <http://tinyurl.com/3px2ggc> (Ralph Losey)
- Major Study Finds Rapid Adoption of Hosted Email Compliance – <http://tinyurl.com/3vqyl6z> (Business Wire)
- OLP Launches New Concept in eDiscovery Training – Presents Comprehensive Learning Experience Using EDRM – <http://tinyurl.com/3gqxrzx> (OLP)
- Socially Aware: The Social Media Law Update – April 2011 (PDF) <http://tinyurl.com/3hbp7sf> (Morrison Foerster)
- The Am Law 100 2011 – The Complete Report – <http://tinyurl.com/4yrxpls> (American Lawyer)
- The FBI's Ability to Address the National Security Cyber Intrusion Threat (Redacted Version) (PDF) <http://tinyurl.com/3e6v5bk> (USDOJ)
- Users' Rights In Copyright Law - <http://tinyurl.com/45xow27> (Guy Pessach)

Technology and Tactics

- A Look at Various Exchange-Compatible Email Servers – <http://tinyurl.com/3wzv29b> (Paul Mah)
- Apple's 'iCloud' Possible Harbinger of New Services – <http://tinyurl.com/63ewkyu> (Alan Reiter)
- Apple Responds to the iPhone/iPad Location Controversy - <http://tinyurl.com/44bezbc> (Doug Austin)

- Arrington Disclosure Sparks Ethics Outrage – <http://tinyurl.com/3uqfz xu> (Ron Miller)
- Behold The New User - <http://tinyurl.com/6y3151y> (Chuck Hollis)
- Can you Save Money with Cloud Computing? <http://tinyurl.com/3m3ufls> (Larry Dignan)
- Cloud! Cloud! Cloud! A Not so Authoritative Look at What “Cloud” Terms Mean - <http://tinyurl.com/3hn834g> (Jerome Wendt)
- Cloud Computing Market Predicted To Hit \$240 Billion By 2020 – <http://tinyurl.com/3vaob7k> (Michael Ide)
- Cloud Computing Poised to Escalate – <http://bit.ly/kqEeX4> (Dilip Tinnelvely)
- Email Marketing and the Email Administrator – <http://tinyurl.com/3nf23dv> (Jeff Orloff)
- Exchange Server and Unified Messaging – <http://tinyurl.com/3khrc5m> (Mike Rede)
- Google Gmail Gets Shared Inboxes - <http://tinyurl.com/3h2xbw9> (David Carr)
- GSA to Boost Cloud Computing with new RFP – <http://tinyurl.com/44hzd5d> (Jason Miller)
- How Google Deals With Trademark Infringement – <http://tinyurl.com/3u8zpc a> (Johanna Sistik)
- How Might I Recognize the Need for ESI Evidence? <http://tinyurl.com/2e82f nb> (Orange Legal Technologies)
- HP Exec Spills Huge Company Secret On LinkedIn Profile – <http://tinyurl.com/3dcrndv> (Matt Rosoff)
- ILTA London Reviewed - <http://tinyurl.com/3vdztue> (Joanna Goodman)
- IT Pros Cross-Examine Digital Evidence – <http://tinyurl.com/3npr69z> (Kim Davis)
- It’s Time Users Demand Better Data Handling – <http://tinyurl.com/3hflkfv> (Scott Koegler)
- Lifecycle Management: Fixed v Dynamic Content – <http://tinyurl.com/3pnj44s> (James Watson)
- Myths, Realities And Strategies Of Fixed Fees – Part II: Strategies – <http://tinyurl.com/42rl72b> (Ashish Prasad)
- Oh, Canada: Capturing Social Media and Online Communications in the Cloud - <http://tinyurl.com/3hlu8rx> (Tom Steinert-Threlkeld)
- Protecting Mailboxes with Cluster Continuous Replication (CCR) <http://tinyurl.com/3k2hga6> (Mike Rede)
- Secret Storage Hides Encrypted Data In Plain Sight – <http://tinyurl.com/3d43xtm> (Mathew Schwartz)
- Social Media ≠ Social Business - <http://tinyurl.com/3f3alh1> (Chad Bockius)
- Sony Declines to Testify at Congressional Hearing – <http://tinyurl.com/3hugx3l> (Nick Bilton)
- Sparks Fly as D.C. and Utility Tussle Over Sensitive Outage Data – <http://tinyurl.com/3zgyh9q> (Zoe Tillman)
- Takeaways from the Amazon Outage - <http://tinyurl.com/3nvqq4p> (Gordan Haff)
- The Legal Side of the Cloud: Worrisome? <http://bit.ly/jBpIBo> (Gary Audin)
- Using Multiple Mailboxes In One Profile - <http://tinyurl.com/3z4jwp> (Mike Wheatley)

Twitter Hashtags of the Week

- [#CEIC2011](#)
- [#eDiscovery](#)
- [#LegalTech](#)
- [#SymVision](#)

Vendor Views

Industry Landscape

- AccessData Announces Additional Hosting Facility in Canada – <http://tinyurl.com/3fke7lq> (Business Wire)
- Brocade Develops a Cloud Complex - <http://tinyurl.com/3ksxzl w> (Craig Matsumato)
- CA Technologies Enables Logicalis UK to Deliver Cloud Computing Services - <http://tinyurl.com/3ckakm3> (PR Newswire)
- Cisco Introduces Portable Data Centers - <http://tinyurl.com/3bbef7> (Chandler Harris)
- D4, LLC, Partners with RiverGlass Enabling Progressive Enhancements to D4’s eDiscovery Offerings – <http://tinyurl.com/432omnc> (PRWeb)
- Deduplication and Efficient Data Storage - <http://tinyurl.com/4ygm8jk> (PRNewswire)
- Developing A Value-For-Services “Litmus Test”: Applied Discovery And The ACC Value Challenge – <http://tinyurl.com/3fvnr x> (Jon Resnick, Joshua Kubicki)

- Digital Strata; 10 Years of Managed Discovery Services for Cisco – <http://tinyurl.com/3d79sxu> (PR Web)
- DOAR Litigation Consulting and Julie Blackman & Associates Announce Merger - <http://tinyurl.com/6594xku> (PR Newswire)
- Epiq Systems Announces 2011 First Quarter Results Led by 25% E-Discovery Operating Revenue Growth – <http://tinyurl.com/3mrg8cz> (NASDAQ)
- kCura Announces Dates for Relativity Fest 2011 – <http://tinyurl.com/5vg8fhe> (Marketwire)
- kCura Releases Method 1.9 – <http://tinyurl.com/3syz6oq> (kCura)
- Kroll Ontrack Continues to Expand U.S. Network of Document Review Facilities in New York - <http://tinyurl.com/3cp9juo> (Business Wire)
- In-Depth Computer Forensics: Belkasoft Releases Version 2 of Their Flagship Evidence Center Tool - <http://tinyurl.com/3qgwn24> (PR Web)
- Iron Mountain Q1 Profit Surges – Quick Facts – <http://tinyurl.com/3s3gvoy> (NASDAQ)
- Linklaters Selects Autonomy’s IDOL for Enterprise Search – <http://tinyurl.com/43tps9o> (PR Newswire)
- Litigation Field Gets Boost as Two Top eDiscovery Organizations Partner Up – ACEDS and LSC - <http://tinyurl.com/3fryvtg> (Press Release)
- Navigant Tops EPS, Revenue Misses - <http://tinyurl.com/3sjsjoj> (Zacks Equity Research)
- Nuxeo and the Google Search Appliance - <http://tinyurl.com/3jr8zfg> (Stephen Arnold)
- Open Text Q3 Revenue Up 23.6 Percent, Beats Analyst Estimates - <http://tinyurl.com/44monm7> (Canadian Press)
- OrcaTec’s Predictive Coding Lowers Cost of Litigation – Companies Save 93% on First-Pass Review - <http://tinyurl.com/6xm4wxq> (PRWeb)
- Quest Software Continues to Ease Microsoft Cloud Deployments with Office 365 Migration Support - <http://tinyurl.com/43zcpri> (Business Wire)
- Rackspace Shutting Down Slicehost - <http://tinyurl.com/3mu88xj> (Klint Finley)
- Reed Smith Hires David R. Cohen, Forms New Practice Group – <http://tinyurl.com/3atpezn> (Patty Tascarella)
- Seagate Introduces 1TB Per Platter HDD – <http://tinyurl.com/62ox5h4> (Chandler Harris)
- Shawn Huston Brings 18 Years Experience as New Litigation Support Expert for MerlinOne - <http://tinyurl.com/3k3uys5> (Business Wire)
- SocialLogix Releases New Governance, Risk, and Compliance Solution for Social Networking - <http://tinyurl.com/3hdz9ty> (Business Wire)
- Symantec Vision: CEO Salem Sees Growth In Mobility, Cloud, Virtualization - <http://tinyurl.com/3vmblnb> (Stefanie Hoffman)
- TechLaw Solutions Welcomes Joe Grespin as Regional Director – <http://tinyurl.com/3vpgmmj> (Marketwire)
- The OneO® Discovery Platform from Orange Legal Technologies – <http://tinyurl.com/44hqopm> (Orange Legal Technologies)

eDiscovery Events

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.](#)

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>.
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