

# Unfiltered Orange |

## Weekly eDiscovery News Update – August 29, 2012

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.

To receive the weekly update, sign up at: <http://bit.ly/y6y0DW>.

For up to the minute news updates, visit OrangeLT on Twitter, Google+, LinkedIn, Pinterest, or RSS. (<http://www.orangelt.com>)



### eDiscovery News

#### Content and Considerations

- An Elusive Dialogue on Legal Search: Part One where the Search Quadrant is Explained – <http://bit.ly/PUzDa6> (Ralph Losey)
- Applying Attorney-Client Privilege to Email Strings - <http://bit.ly/Ttisej> (Andrew DeFalco)
- Conducting eDiscovery in Glass Houses: Are You Prepared for the Next Stone? <http://bit.ly/PnizHk> (Philip Favro)
- Clean Sweep in Kleen Products Predictive Coding Battle? Not Exactly <http://bit.ly/MR3LmX> (Matthew Nelson)
- Court Orders Counsel to Disclose eDiscovery Search Strategy - <http://bit.ly/PZExlW> (Bob Ambrogi)
- Court Requires Party to Inform Adversary of Availability of Discovery Documents in Electronic Form – <http://bit.ly/MMxQUd> (Austin O'Malley)
- Court Shifts Discovery Costs to Plaintiffs “At Least Until the Class Action Determination is Made” <http://bit.ly/OoDhax> (K&L Gates)
- Court Sidesteps Issue of Mandated Technology-Assisted Review with Parties’ Stipulation in Kleen Products – <http://bit.ly/T2RzO8> (Brian Esser)
- Courts Have to Be Careful In Applying Fiduciary Exception to Attorney-Client Discovery Privilege – <http://bit.ly/Q0TzYV> (Catherine Kiernan)
- Courts Split in Award of eDiscovery Costs to Prevailing Party | 6th Circuit Appellate Blog – <http://bit.ly/T2QPiv> (Amy Hovevar)
- Cowen Group Forecasts Surge in Managed Services at Law Firms – <http://bit.ly/TnkJYs> (Monica Bay)
- Criminal eDiscovery: 21st Century Paperless Trails (Part 1 of 5) - <http://bit.ly/TpKrvf> (Daniel Garrie)
- “Did We Really Send that File to Opposing Counsel?” <http://bit.ly/PbLnLY> (Justin Blessing)
- eDiscovery Case Law: No Kleen Sweep for Technology Assisted Review – <http://bit.ly/T2Thiu> (Doug Austin)
- eDiscovery Trends: Charges Against Suspect Dismissed Partially Over Storage of Two Terabytes – <http://bit.ly/TnxEtr> (Doug Austin)
- Federal Court Orders Class Action Plaintiffs to Share Defendant’s Discovery Costs – <http://bit.ly/ThF1Cu> (Sean Wajert)
- Health Insurance Provider’s “Cavalier Attitude” Toward Document Production – <http://bit.ly/Pn2PDX> (Kathy Trawinski)
- ILTA Launches With Packed House, Energetic Keynote on Innovation – <http://bit.ly/Tnga0n> (Monica Bay)
- In Re: Actos – Does New Federal Litigation Clarify eDiscovery Predictive Coding? <http://onforb.es/MVFYIS> (Matthew Nelson)
- In Kleen Products Litigation, Parties Stipulate that Predictive Coding is Not Required At This Time – <http://bit.ly/TnqbdM> (K&L Gates)

- Judge Doherty’s Order Gives Guidelines for eDiscovery and TAR – <http://bit.ly/Phe4xO> (BLLAWG)
- Judge Schiendlin Re-Affirms Dangers of Self-Collection in Latest National Day Laborer Organization Opinion – <http://bit.ly/MWhdWJ> (Guidance Software)
- Judge Scheindlin Sends Federal Agencies a “Message” About Their eDiscovery Obligations Under FOIA – <http://bit.ly/PNwXe9> (Cullen and Dykes)
- Kleen Case Not Using Predictive Coding – <http://bit.ly/PJ54nv> (BLLAWG)
- Kleen Parties Resolve Predictive Coding Quarrel – For Now – <http://bit.ly/PP8Fkb> (Maureen O’Neill)
- ‘Kleen’ Plaintiffs Withdraw Demand for Predictive Coding – <http://bit.ly/SUq4pO> (Sean Doherty)
- Kleen Products LLC Withdraws Request to Redo Production – <http://bit.ly/SZHmSD> (Bill Tolson)
- Kleen Products Predictive Coding Epitaph – <http://bit.ly/PVxjqz> (Karl Schieneman)
- Magic 8 Ball Predictions for eDiscovery in Florida: FRCP, FOIA and the Sunshine Laws – <http://bit.ly/O6J6ZT> (Allison Walton)
- No Legal Duty or Business Reason to Boil the Ocean for eDiscovery Preservation – <http://bit.ly/PeGCYH> (John Patzakis)
- Plaintiffs Drop Demand for Computer-Assisted Review in “Kleen” Case – <http://bit.ly/MPi5fJ> (Andrew Bartholomew)
- Rules-Based Coding Avoids Risks And Landmines In Predictive Coding – <http://bit.ly/T2LVvg> (Mary Mack)
- Sampling Enters the Mainstream Lexicon of eDiscovery Practitioners – <http://bit.ly/MVOEsm> (Sheila Mackay)
- The Admissibility of Social Media Evidence: A Case Study – <http://bit.ly/PcICAF> (John Gregory)
- The New Legal Model? <http://bit.ly/TtgRFe> (Dave Cochran)
- The Redheaded Stepchild of eDiscovery — Keyword Search— Receives Another Beating – <http://bit.ly/Pdb6u7> (Maureen O’Neal)
- Too Many Cooks in eDiscovery – <http://bit.ly/MP5N76> (Josh Gilliland)
- Utilizing Generally Accepted Recordkeeping Principles (GARP) to Develop a Good eDiscovery Strategy – <http://bit.ly/MMy7ae> (Amber Scolah)
- Why Lawyers Should Know ‘the Protocol’ for Criminal eDiscovery – <http://bit.ly/PLD2rs> (Peter Hardy, Abraham Rein)

### *Reports and Resources*

- Apple V. Samsung: Jury Verdict Source Document – <http://bit.ly/PPuXIC> (US District Court – N.D. Cal.)
- Assisted Review? Technology Assisted Review Backgrounder (Feb. 1, 2012 – Aug. 28, 2012) <http://bit.ly/liTGtb> (@OrangeLT)
- August Edition of Notable Cases and Events in eDiscovery (PDF) <http://bit.ly/MVfBfK> (Sidley Austin)
- Framework Proposed for Law Firm Information Governance – <http://bit.ly/PXEWW7> (Evan Koblentz)
- ILTA Technology Purchasing (PDF) – <http://bit.ly/Q106CL> (@InsideLegal)
- “Networked Learners” – Pew Internet Project (PDF) <http://bit.ly/OQZoUF> (Lee Rainie)
- The Verdict Is In: Evidence, Ethics and eDiscovery – Apple vs. Samsung – <http://bit.ly/Ps8bMw> (@ComplexD)

### *Sight and Sound*

- An Overview of Initial Disclosures - <http://bit.ly/Ttg9bh> (Josh Gilliland)
- Case in Point for Monday, August 27th, “Underprivileged Review” – <http://bit.ly/PmwFbl> (Tom Fishburne)
- Conference of Pinterest? ILTA 2012 – <http://bit.ly/T3SYnz> (@OrangeLT)
- eDiscovery: The Growing Cost of Compliance (PDF) <http://bit.ly/NUd2fv> (ESG Global)
- Judge Scheindlin’s Collection Case and Florida eDiscovery Amendments – <http://bit.ly/PXLXGC> (Legal Talk Network)
- Inc. 5000:Fastest Growing Companies By Industry, State and Metro Area (Interactive InfoGraphic) – <http://bit.ly/PUxzPn> (@OrangeLT)
- Ouch! Lessons Learned from Morgan Lewis’ Redaction Disaster <http://bit.ly/PXOgt9> (Legal Talk Network)

- Using Social Engineering Tactics For Big Data Espionage (Podcast) <http://bit.ly/TtdHBo> (Jason Rader, Branden Williams)

### *Technology and Tactics*

- Another “Whoops! I Can’t Believe I Hit Send!” <http://bit.ly/T2Pcej> (Alan Losey)
- Dashboard 2.0: Upgrading Law Firm Intranets <http://bit.ly/PZL28q> (Monica Bay)
- Data Privacy – Is Your Business Ready For HB 300? <http://bit.ly/PnqRyF> (Al Saikali)
- Demystifying Born Digital – <http://bit.ly/PLEABW> (OCLC Research)
- Embracing the Cloud? Considering the French Strategy for Emergency Services IS Modernization – <http://bit.ly/MP2Of5> (Silvia Pial)
- Embracing Social Media, In The Right Way, Is Good For Business – <http://bit.ly/MOCUYA> (Barry Murphy)
- Employer’s E-Mail System May Become Tool for Union Organizing : Employment Law Watch – <http://bit.ly/PN77al> (Joel Barras)
- Federal CIO Council Releases BYOD Toolkit - <http://bit.ly/Q0TJQ0> (Richard Santalesa)
- JAG Connect:Army Lawyers go Social – <http://bit.ly/TnvI46> (Mary Abraham)
- Joint Patent Infringement in Cloud Computing – <http://bit.ly/MSd466> (Richard Gilly)
- Hardware, Software – Major Inroads for Healthcare Investments – <http://bit.ly/SPK1hE> (Geoff Cockrell)
- Is Privacy at Risk with Mobile Purchases? <http://bit.ly/T2RRVg> (Peter Vogel)
- Microsoft Brings ‘Social’ to Email with Outlook.com – <http://bit.ly/PLFH13> (John Mello)
- Microsoft Outlines SharePoint 2013 Improvements – <http://bit.ly/PdjEBp> (Kurt Mackie)
- New Jersey Family Courts Limited In Power To Order Destruction of Sex Tapes | eLessons Learned – <http://bit.ly/PN6ttq> (Brock Stonewall)
- New Studies Conclude That Legal and Compliance Risks Are a Big Concern – <http://bit.ly/ThEoZL> (Susan Mangiero)
- Newly Enacted New York Law May Open Trap for Unsuspecting Employers - <http://bit.ly/PpTR8Z> (Philip Gordon, Sarah Moss)
- One RFC Connection Fits all in Exchange 2013 Clients – <http://bit.ly/PN6yx1> (John Mello)
- Philippine Data Privacy Law is Signed into Law – <http://bit.ly/PLF5vC> (Hogan Lovells)
- Risk Assessments are Critical to Avoid Data Blackmail – <http://bit.ly/Tntgun> (Stephen Bentfield, Stephanie Willis)
- Removing Your Domain from a Block List – <http://bit.ly/PeKnxu> (Jeff Orloff)
- Spying on Your Employees? Know the Law First - <http://bit.ly/Pp8Vni> (Daniel Schwartz)
- The Importance Of Accurate Time/Hours Records In The Social Media Age – <http://bit.ly/PN4lSp> (Michael Schmidt)
- When Chief Executives Share Company News on Facebook - <http://nyti.ms/TtfZ3F> (Nick Wingfield)
- YouTube Ripper Gives Google a Dose of Disruption – <http://bit.ly/MLfxPK> (Shannon Green)

### **Vendor Views**

#### Industry Landscape

- AccessData to Showcase Revamped Summation Product Line at ILTA – <http://bit.ly/PN6cqq> (Business Wire)
- Applied Discovery to Demonstrate Its Unrivaled Relativity® Experience at ILTA – <http://bit.ly/Tno5uq> (Press Release)
- ArcMail Introduces Extended Enterprise Information Archiving Support for Microsoft SharePoint Environments – <http://bit.ly/MN6M7U> (PR Web)
- Autonomy Showcases Social, Cloud and Mobile Innovations for Legal Market – <http://bit.ly/MVhw3X> (@LegalIT)
- Bridgeway Enhances Attorney Productivity with eCounsel Version 8.6 and New Bridgeway E-mail Link Solution -<http://bit.ly/Q0RnQV> (@LegalIT)
- City and County of San Francisco Deploys CommVault for Virtual Server Data Protection Cloud Services – <http://bit.ly/MVTOEY> (Press Release)

- Complete Discovery Source Launches Cloud-Based eDiscovery Review Platform, Nytrix – <http://nbcnews.to/PmMf7e> (Press Release)
- D4 Broadens Its Service Offerings with Addition of Equivio Zoom – <http://bit.ly/PnhtLH> (Press Release)
- Daegis Provides Greater Control Over eDiscovery with New Data Ingestion and Export Capabilities – <http://bit.ly/MVLLla> (Business Wire)
- Daegis Reports Fiscal 2013 First Quarter Financial Results – <http://bit.ly/PPa5Jr> (Press Release)
- Daniel Meunier Joins Clutch Group as Senior Litigation and Investigation Director – <http://bit.ly/PYWAcA> (PR Web)
- DATAssimilate to Unveil PowerSearch Version 5 at ILTA – <http://bit.ly/MQZeAU> (Sean Doherty)
- Digital WarRoom® Preview New Product Release at ILTA 2012 – <http://bit.ly/PP86H1> (PR Web)
- Enhancements to Exterro Fusion(R) Platform Deliver Greater Control Over eDiscovery – <http://on.mktw.net/ThMxgR> (Marketwire)
- Exemplify Demonstrates Some Detail on Transactional SaaS – <http://bit.ly/PXGRtS> (Sean Doherty)
- Fios Intros Intuitive Relativity Application Delivering Redaction Speed, Predictability – <http://bit.ly/Tnk2ON> (Business Wire)
- Gartner Includes ZyLAB in both Hype Cycle for GRC Technology and Hype Cycle for Content Management – <http://bit.ly/PIx2zK> (Press Release)
- Going to ILTA? Test Drive Insight, the Next Generation of eDiscovery – <http://bit.ly/PhcbkD> (Announcement)
- HP Executives Indicate Autonomy Big Data Division Needs Tweaking – <http://bit.ly/T2SkGT> (Nick Kolakowski)
- HighQ Releases New Version of Cloud Collaboration – <http://bit.ly/MMj6VM> (Sean Doherty)
- ILTA Pre-Game: eDiscovery Year in Review – <http://bit.ly/TfPWwv> (Katey Wood)
- kCura to Showcase Relativity Assisted Review and Ecosystem at ILTA – <http://on.mktw.net/ThIwZU> (MarketWatch)
- Nexidia Audio-Video Search Gets Bulk Tagging, Redaction, More Speed – <http://bit.ly/MMiU9d> (Evan Koblentz)
- Nuix Appoints Mark Chardack as Chief Executive Officer for North America – <http://bit.ly/MOGrWT> (Business Wire)
- Océ Business Services Highlights eDiscovery and Records Management Solutions at the ILTA Conference – <http://bit.ly/PN5Yzp> (Press Release)
- OrangeLT™ Mentioned in Recent Gartner Hype Cycle Reports for GRC Tech and Content Management – <http://bit.ly/PeDQtn> (@OrangeLT)
- OrcaTec Announces Availability of The OrcaTec Appliance for- <http://yhoo.it/Q1b6jy> (PR Web)
- PitneyBowes to Showcase Latest Innovations in Legal Services at ILTA – <http://bit.ly/T50E99> (Press Release)
- Predictive Search Analytics Available with PowerSearch Software 5.0 Release – <http://bit.ly/ThMly6> (PR Web)
- PwC Forensic Services Gets New Managing Director, Big4.com Reports – <http://bit.ly/ThBO5Z> (PR Web)
- ReadySuite eDiscovery and Litigation Support Software Updated – <http://bit.ly/Tnpykr> (@LegalIT)
- Recommind Launches ‘Accelerate Unlimited’ for Rock-Solid Certainty in eDiscovery Costs – <http://yhoo.it/MVxco4> (Marketwire)
- Recommind To Demonstrate Information Management Solutions At The ILTA Conference – <http://bit.ly/MQYVGd> (Press Release)
- RenewData Awarded a Patent for Key Technology Component of Language-Based Analytics Service Offering – <http://bit.ly/PeNjtU> (Announcement)
- RenewData Launches Language-Based Analytics as Transparent, Auditable Alternative for TAR – <http://on.mktw.net/MOOffmt> (Business Wire)
- Social Networking, Creative Licenses Highlight EDD News at ILTA – <http://bit.ly/PmBeD1> (Evan Koblentz)
- StoredIQ Garners KMWorld Trend-Setting Product Award for Fourth Consecutive Year – <http://bit.ly/MN8PsC> (Announcement)
- Waterford Technologies Expands MailMeter Archive to Support Microsoft Office365 – <http://bit.ly/Q0TkwJ> (PR Web)
- Wave Software Announces the Release of A New Solution, Trident Collector, for Forensic Data Needs – <http://yhoo.it/PLI5Iv> (PR Web)

- Worldox Legal Hold: The Convergence of Legal Software and Electronic Discovery – <http://bit.ly/PcOHx7> (Sharon Nelson)
- Venio Systems Revolutionizes the eDiscovery Industry with the Release of Venio 4.0 – <http://bit.ly/PUwF5r> (PR Web)
- ZyLAB appoints new General Manager for North America – <http://bit.ly/MV mzBA> (Announcement)

## **2012 eDiscovery Events**

### **AUGUST**

#### **ILTA Annual Conference 2012**

August 26 – 30, 2012

Washington, DC (Chesapeake G Suite)

[Click here for more information.](#)

### **SEPTEMBER**

#### **2012 Chief Legal Officer Leadership Forum (Chicago)**

September 6, 2012

Chicago, IL

[Click here for more information.](#)

#### **eDiscovery West Summit – IQPC**

September 10-12, 2012

San Francisco, CA

[Click here for more information.](#)

#### **Intermountain eDiscovery Conference 2012**

September 13, 2012

Salt Lake City, UT

[Click here for more information.](#)

#### **The Sedona Conference – WG1 2012 Annual Meeting**

September 13-14, 2012

Atlanta, GA

[Click here for more information.](#)

#### **LITCON'12 – Legal Information Technology Conference 2012**

September 21, 2012

Chicago, IL

[Click here for more information.](#)

#### **ARMA International Annual Conference**

September 23-25

Chicago, IL

[Click here for more information.](#)

#### **Conference for Preservation Excellence**

September 27-28, 2012

Portland, OR

[Click here for more information.](#)

**ACC Annual Meeting**

September 30 – October 3, 2012

Orlando, FL (Booth #422)

[Click here for more information.](#)

**OCTOBER****Masters Conference 2012**

October 8-10, 2012

Washington, DC

[Click here for more information.](#)

**Storage Networking World (SNW)**

October 16-19, 2012

Santa Clara, CA

[Click here for more information.](#)

**EDRM 2012 – 2013 Mid Year Meeting**

October 17-18, 2012

St. Paul, MN

[Click here for more information.](#)

**EDI Leadership Summit 2012**

October 17 – 19, 2012

Fort Lauderdale, FL

[Click here for more information.](#)

**Gartner Symposium/ITxpo**

October 21-25, 2012

Orlando, FL

[Click here for more information.](#)

**Corporate Compliance & Ethics Forum**

October 28-30, 2012

Palm Beach Gardens, FL

[Click here for more information.](#)

**eDiscovery for Pharma, Biotech & Medical Device Industry – IQPC**

October 29, 2012

Philadelphia, PA

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**NOVEMBER****eDiscovery for Financial Services & Governmental Investigations**

November 5-6, 2012

New York, NY

[Click here for more information.](#)

**e-Discovery & e-Investigations Forum**

November 8, 2012

London, United Kingdom

[Click here for more information.](#)

**Corporate Litigation Forum**

November 11-13, 2012

San Antonio, TX

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**LawTech Europe Congress**

November 12, 2012

Prague, Czech Republic

[Click here for more information.](#)

**The Litigation Summit and Exposition**

November 12-13, 2012

Washington, DC

[Click here for more information.](#)

**The 7th Annual E-Disclosure Forum**

November 15, 2012

London, United Kingdom

[Click here for more information.](#)

**Information Governance & eDiscovery Strategy**

November 27-29, 2012

Munich, Germany

[Click here for more information.](#)

**DECEMBER****Georgetown Law – The Advanced eDiscovery Institute**

December 6-7, 2013

Washington, DC

[Click here for more information.](#)

**2013 Events****JANUARY****LegalTech New York 2013**

January 29-31, 2013

New York, NY

[Click here for more information.](#)

**FEBRUARY****ACEDS 2013 Annual Conference and Exhibition**

February 28 – March 2, 2013

Hollywood, FL

[Click here for more information.](#)

**MARCH****Legal IT Business Show 2013**

March 5-6, 2013

London, United Kingdom

[Click here for more information.](#)

**The Sedona Conference® Institute's 7th Annual E-Discovery Program: Living On E-Discovery's Cutting Edge**

March 21-22, 2013

San Diego, CA

[Click for more information.](#)

**APRIL**

**ABA TECHSHOW**

April 4-6, 2013

Chicago, IL

[Click here for more information.](#)

**Laguna Beach eDiscovery Retreat**

April 10-12, 2013

Laguna Beach, CA

[Click here for more information.](#)

**2013 ALA Annual Conference and Exhibition**

April 14-17, 2013

Washington, DC

[Click here for more information.](#)

**MAY**

**CEIC 2013**

May 19 – 22, 2013

Orlando, FL

[Click here for more information.](#)

**LegalTech West Coast**

May 21-22, 2013

Los Angeles, CA

[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. Having served over 500 clients since inception and with over 100 clients leveraging the OneO® Discovery Platform since its introduction, Orange Legal Technologies has worked with some of the world's most [well known corporations and law firms](#).

OrangeLT™ offers a complete suite of electronic discovery services, including 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>.