Unfiltered Orange |
Weekly eDiscovery News Update – July 18, 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.

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eDiscovery New*s*
Content and Considerations

- 2nd Circuit Rejects Key Litigation Hold Standard - http://bit.ly/NFI9EM (John Jablonski)
- A Quick Forensics Lesson: The Smart Phone Is Much More than Just a Hard Drive - http://bit.ly/Q1N9tR (Greg Buckles)
- An Uncertain Standard for Cost Shifting Can Restore a Level Playing Field - http://bit.ly/NgYZxk (Matthew Prewitt)
- Are Seed Sets the New Keyword? http://bit.ly/PgY9Cj (Howard Sklar)
- Attorney-Client Privilege Claim Backfires on JPMorgan in FERC Case - http://bit.ly/NFNL26 (Alison Frankel)
- Audio Search Accuracy Part I: From Here to Utopia - http://bit.ly/LiJjdT (Jeff Schlueter)
- Court Imposes Sanctions for Discovery Violations, Orders Appointment of Special Master to Investigate – http://bit.ly/ODxV9e (K&L Gates)
- Days Three and Four of a Predictive Coding Narrative: Where I Find that the Computer is Free to Disagree – http://bit.ly/OHK6lt (Ralph Losey)
- Defensible Deletion Gaining Steam - http://bit.ly/LiUzqA (Barry Murphy)
- Despite No Spoliation Evidence, Court Orders Up To $70K In Sanctions For Preservation Failures Anyway – http://bit.ly/LQ7rBz (Brad Harris)
- eDiscovery Best Practices: Quality Assurance vs. Quality Control - http://bit.ly/OCJNsa (Doug Austin)
- eDiscovery: Just the FAQs - http://bit.ly/LeS4pt (David Cohen)
- eDiscovery Tools Aid Compliance, Save Money – http://bit.ly/MiHDCE (Tony Kontzer)
- eDiscovery Traffic Control – Merging on the Litigation Superhighway - http://bit.ly/ODzC6D (Dennis Kiker)
- eDiscovery Trends: TREC Study Finds Technology Assisted Review More Cost Effective - http://bit.ly/M2Ie6U (Doug Austin)
- Electronic Evidence Is Threatened By Computer's Normal Use And What Attorneys Can Learn from Monkeys - http://bit.ly/LPMKpp (LexisNexis)
- Ethics Committee Cracks Down on Unauthorized Practice of Law by eDiscovery Vendors - http://bit.ly/MtC7gx (Reed Smith)
- Failure To Issue Litigation Hold Despite Notice Of Claim Does Not Per Se Constitute Gross Negligence – http://bit.ly/M3JEht (Gregory Joseph)
- Florida Supreme Court Juices Up eDiscovery Requirements - http://bit.ly/LPoVhk (William Hamilton)
- Firms and Terms: A Snapshot Of Technology Assisted Review Providers And Terminology - http://bit.ly/HKRvOE (@ComplexD)
- FOIA Matters! — 2012 Information Governance Survey Results for the Government Sector - http://bit.ly/NsdOxk (Allison Walton)

- Judge Scheindlin Issues Strong Opinion on Custodian Self-Collection http://bit.ly/Q2UUzC (Ralph Losey)
- ILTA Developing Law Firm Security Model - http://bit.ly/OBspE1 (Evan Kobletz)
- Internet Evidence Not Offered for Truth Sufficiently Authenticated on Summary Judgment by Affidavit – http://bit.ly/Mk0E7D (Gregory Joseph)
- IT-Lex and The Sedona Conference® Provide Real Help to Learn eDiscovery and Technology Law – http://bit.ly/NgfZDT (Christy Burke)
- Legal Hold Management: Are Manual Processes Still the Norm? http://bit.ly/MGu5uA (Andrew Bartholomew)
- Legal Technology Observer Concludes Today, Inviting You to Continue the Conversation - http://bit.ly/LRn3EO (Christy Burke)
- Making Sense of 'Kleen Products': Is it Really about Predictive Coding? http://bit.ly/LPLQcg (Bob Ambrogi)
- Model Behavior: Federal and State Court Rules on eDiscovery - - http://bit.ly/Mk6eHa (Jessica Mederson)
- Phase 2 of Discovery Pilot Provides Glimpse into Future of eDiscovery – - http://bit.ly/Oxc1V6 (BLLAWG)
- Robots Are Not Replacing eDiscovery Lawyers - http://bit.ly/MkKifa (Jason Krause)
- Rules for eDiscovery Vendors in D.C.: Taking A Step Back - http://bit.ly/Lt2hP4 (Cynthia Courtney)
- Plaintiffs v. Peck – A Worthy Addition to Your Summer Reading List – http://bit.ly/Oxk9F5 (Leah R. Glasofer)
- Search Warrants, Smartphones and Text Messages - http://bit.ly/LPkUJX (Josh Gilliland)
- Second Circuit Rejects Per Se Gross Negligence Standard for Failure to Issue Hold Notice - http://bit.ly/Q2DjHS (David Kessler)
- Shifting the eDiscovery Paradigm with Defensible Data Reduction - - http://bit.ly/LiejuF (Andrew Bartholomew)
- Social Media in eDiscovery: Public or Private Information? http://bit.ly/LS4LDw (Michael Hamilton)
- Squeaky Kleen | Millnet - http://bit.ly/Q1PNj4 - (Charles Holloway)
- Technology-Assisted Review Boosted in TREC 2011 Results - http://bit.ly/LWkd1n (Evan Koblentz)
- The Importance of Review Management Expertise - http://bit.ly/OCvYK1 (Kevin Chang)
- The Lawyers Are Ready! http://bit.ly/Q36Xga (Jon Dawson)
- The Myth of Non-Repudiation – http://bit.ly/M2HBu7 (John Gregory)
- The Rise of Unified Information Governance - http://bit.ly/NFHhAc (George Socha)
- The Role of Project Managers in eDiscovery - http://bit.ly/LkJJ3u (Mark Yacano, Cat Casey)
- Trimming Legal Costs and Jobs: A Predictive Coding Unintended Consequence? http://bit.ly/Q2DxPi (Whitney Grace)
- "Tweets" Are Public and Must Be Produced, Judge Rules - http://bit.ly/NGPHay (Doug Austin)
- Ups and Downs in a Dismal Summer - http://bit.ly/PgZUPQ (Charles Holloway)

Reports and Resources

- ARMA International Maturity Model for Information Governance - http://bit.ly/LronwD (ARMA)
- Assisted Review Technologies: eDiscovery's 'Brave New World' of Predictive Coding and TAR (451 Research Subscribers) http://bit.ly/Mt6nbx (David Horrigan)
- Competitive Intelligence – A Selective Resource Guide – Completely Updated – July 2012 - http://bit.ly/wx6TVd (Sabrina Pacifici)
- Computer and Internet Use in the United States: 2010 - http://1.usa.gov/NFJMlZ (U.S. Census Bureau)
- Department of Defense Cloud Computing Strategy (PDF) - http://1.usa.gov/Mk07Th (Teresa Takai)
- EDRM XML White Paper Now Available -The Electronic Discovery Reference Model - http://bit.ly/LlybwU (George Socha)
- Infographic: How to Escape Being a Cybercrime Victim - http://bit.ly/MiYUf3 (Kim Davis)
- The Air Force Guide to Effective Social Media Use (PDF) http://bit.ly/Mt8Vq1 (U.S. Air Force)
- The Litigation Hold Letter - http://bit.ly/NFOdND (White and Williams LLP)
- Text REtrieval Conference (TREC) 2011 Proceedings - http://1.usa.gov/LkRQgt (NIST)
- TREC-Legal 2011: Learning to Rank from Relevance Feedback for eDiscovery (PDF) http://1.usa.gov/NyEuMh (Peter Lubell-Doughtie, Kenneth Hamilton)

- Updated Technology Assisted Review Backgrounder (Links From 2.1.2012 Thru 7.16.2012) http://bit.ly/IiTGtb (@OrangeLT)
- Zubulake's eDiscovery: The Untold Story of my Quest for Justice - http://bit.ly/LwUJL8 (Laura A. Zubulake)

Sight and Sound

- A Pinteresting Look At eDiscovery Collections - http://bit.ly/K0bA4i (@OrangeLT)
- Case in Point: Free Range Reviewers - http://bit.ly/HM288p (Tom Fishburne)
- Corporate Counsel' ITC Survey 2012 " http://bit.ly/Ll110v (Anthony Paonita)
- Inside Data Archiving Platforms | Legal Talk Network - http://bit.ly/LeSOeh (Michele Lange)
- Social Media and Lawsuits - http://bit.ly/OAYPi5 (Craig Williams, Bob Ambrogi)

Technology and Tactics

- Are Desktop Email Clients On Endangered Species List? http://bit.ly/MiHqzt (John Mello)
- As Expert Witnesses, Industry Experts Play Key Roles In Litigation Cases - http://bit.ly/Q1KW1u (Rick Arnett)
- Big Win for Bloggers: TechnoBuffalo Court Victory Shields Source of Leaked Photos - http://bit.ly/LroLLy (Eric Johnson)
- Firewalls Between Exchange Servers? Not On My Network! http://bit.ly/M3Jirh (Casper Manes)
- Five Initial Steps to Take to Meet the Governance, Risk and Compliance Obligations - http://bit.ly/OCJuNW (Charles Skamser)
- Five Steps To Stop More Than 85% of Hacker Attacks On Your Network - http://bit.ly/NGQCYv (John Mello)
- How Instant Mobile Commerce Will Disrupt The Way You Do Business - http://onforb.es/Q2cvYu (Ben Kerschberg)
- Is Your Internet Provider Now Spying on You? http://bit.ly/MtCqrH (Sharon Nelson)
- Law Firms and Cloud Computing: Ethics Guidelines - http://bit.ly/M3LhvC (Richard Granat)
- Legal Challenges Arise to 'Bring Your Own Device' – Policies http://bit.ly/Mt5TC6 (Philip Berkowitz)
- Microsoft Office 2013 Bolsters eDiscovery - http://bit.ly/NFLi7P (Evan Koblentz)
- Microsoft Updates Exchange Remote Connectivity Analyzer – http://bit.ly/Llfdq5 (John Mello)
- Microsoft Windows 8 to Ship in Late October - http://bit.ly/OB5oRz (Evan Koblentz)
- One Step Closer to Defining 'Reasonable' Data Security Measures? http://bit.ly/NHdtDb (Greg Jacobs)
- Privacy and Security Surrounding The Cloud - Article 29 Working Paper Guidance - http://bit.ly/M3L5MS (Kate Gorey)
- Race to the HighCourt: Hoosier Racing Seeks High Court Review of Third Circuit's Slashing of eDiscovery Cost Award – http://bit.ly/OAsPKX (Mark Sidoti)
- Recruiter Misuse of Social Media Can Increase Risk of Liability - http://bit.ly/LVVfPE (Alexander Nemiroff)
- Re-Thinking and Rejecting Social Media "Password Protection" Legislation - http://bit.ly/Ovni8n (Philip Gordon, Lauren Woon)
- RIM Loses $147M Suit Over Patent for Remote Management Software - http://bit.ly/NG867s (Linda Johnson)
- Safe Harbor Not Safe Enough For EU Cloud Data - http://bit.ly/NFGiA0 (Brian Profitt)
- Social Media: The Boundary Between Personal and Professional – Social Networking, Social Media – http://bit.ly/OCwbNy (Robert Clayton)
- SEC Approves New Rule Requiring Consolidated Audit Trail to Monitor and Analyze Trading Activity – http://1.usa.gov/Ll00p9 (Release)
- Survey Sees Slow Adoption of Alternative Fee Arrangements - http://bit.ly/Ovw85T (David Snow)
- Take Social Media Privacy Into Your Own Hands - http://bit.ly/LRoALa (Steve McMaster)
- The Importance of Self-Regulation in Improving Digital Privacy - http://bit.ly/LeTSPk (Douglas Wood)
- This Ain't Your Father's Jury: How Social Trends Are Changing How We Should Appeal to Younger Jurors – http://bit.ly/LlGuJf (James McGee)
- Too Much! Gartner Overoptimistic on Cloud Spending - http://bit.ly/LrplsN (Mary Jander)

- Yet Another Tech Company Falls Victim to a Data Breach: Yahoo! - http://bit.ly/NFLHqH (John Horan)

Vendor Views
Industry Landscape

- ACC Mountain West and the Intermountain eDiscovery Conference 2012 – Salt Lake City, Utah – http://bit.ly/N9gdcf (@OrangeLT)
- AccessData® to Unveil Version 2 of Its CIRT Platform at Black Hat USA 2012 - http://reut.rs/NGKrDS (Press Release)
- CaptureToCloud Raises $4.7 Million for Small-Business Content Creation - http://bit.ly/M3IEdb (Michael del Castillo)
- Clustify: Adds Ability Automatically Ignore Email Headers and Footers for Improved Document Clustering – http://bit.ly/MtnQ3t (Press Release)
- Complete Discovery Source Receives New Orange-Level Relativity Best In Service Designation – http://on.mktw.net/Mt7hVt (Press Release)
- Connolly Bove Lodge & Hutz LLP Selects Relativity for In-House eDiscovery - http://on.mktw.net/Q1Lq7Q (Press Release)
- D4 honored by kCura as Orange-level Relativity Best in Service Partner - http://bit.ly/Mt7sjy (PR Web)
- Daegis Expands Cross-Matter Management Capabilities With Lotus Notes eDiscovery Integration – http://bit.ly/Oxp88N (Business Wire)
- Daegis Reports Fourth Quarter and Fiscal 2012 Year-End Financial Results - http://bit.ly/Q37tuC (Business Wire)
- "Ditto": Copying Categorizations between Documents - http://bit.ly/Q1OyQQ (Kroll Ontrack)
- DOJ Sticks With Syngence for Near-Duplicate Clustering - http://bit.ly/Q1LSmp (Michael Roach)
- eDiscovery: It's Good to Have Options – http://bit.ly/OCIRUG (Randall Burrows)
- Exchange 2012: Announcing a Licensing Change for Multi-Mailbox Search - http://bit.ly/LlZRBS (Bharat Suneja)
- Infracapital Selects IntraLinks for Investor Reporting - http://on.mktw.net/NGRzA9 (PR Newswire)
- New Beta Version of dtSearch Improves Document Filters - http://bit.ly/LQ3tJf (Sean Doherty)
- HP Says It's Working To Bring Autonomy Products To Channel http://bit.ly/LPom7p (Kevin McLaughlin)
- Huron Consulting Group Expands Global #eDiscovery Offerings with India Document Review/Data Facility – http://yhoo.it/NFN3ll (Business Wire)
- iDiscovery Solutions Opens Office in Austin, Texas - http://bit.ly/Q1OX66 (Press Release)
- Integreon Expands #eDiscovery Hosting Services with iCONECT XERA – http://bit.ly/Q1QKbl (Press Release)
- InterLegis Announces Discovery360™ Enterprise - http://bit.ly/NFKPlW (PR Web)
- Kroll Ontrack Enhances Verve Cloud-based eDiscovery Tool - http://bit.ly/NvhCf5 (@LegalIT)
- Merrill DataSite Virtual Data Room Loads 500-Millionth-Page - http://on.mktw.net/Ph15yJ (Business Wire)
- New eDiscovery Platform Is kCura Contender - http://bit.ly/NFOAI2 (Whitney Grace)
- Nuix Adopts Remote Access in eDiscovery - http://bit.ly/Mu8oE9 (Evan Koblentz)
- Nuix CEO: Organizations Pay Too Much for Slow, Illogical and Limited eDiscovery Over Data Held In Symantec Enterprise Vault And EMC EmailXtender Archives – http://bit.ly/Ls9T4o (Business Wire)
- PitneyBowes Announces Additional Strategic Alliances for Volly™ Secure Digital Delivery Service - http://bit.ly/LiStqI (Press Release)
- Rand Secure Archive Releases New Versions of EAS Web Access and EAS Entourage Client Tools – http://bit.ly/OCVajB (Press Release)
- RenewData Roadshow to Focus on Complexities and Rewards of Technology Assisted Review - http://bit.ly/LrqgJL (@LegalIT)
- SEPATON DBeXstream Unleashes Maximum Throughput and Optimal Deduplication Ratios on Oracle DBA – http://bit.ly/Mk0z3S (Jerome Wendt)
- Ulmer & Berne Selects Recommind for Enterprise Search and Email - http://bit.ly/LPMZ3O (@LegalIT)
- Xerox Acquires UK-based WDS - http://bit.ly/MiGX08 (Press Release)
- Xpriori Concept Search and Predictive Coding Helps Law Firm Find "Smoking Gun" Document http://bit.ly/M2GwCB (PR Web)

2012 eDiscovery Events

JULY

Carmel Valley eDiscovery Retreat
July 22 – 24, 2012
Carmel, CA

AUGUST

ILTA Annual Conference 2012
August 26 – 30, 2012
Washington, DC

SEPTEMBER

Intermountain eDiscovery Conference 2012
September 13, 2012
Salt Lake City, UT

ACC Annual Meeting
September 30 – October 3, 2012
Orlando, FL

OCTOBER

EDI Leadership Summit 2012
October 17 – 19, 2012
Fort Lauderdale, FL

NOVEMBER

LawTech Europe Congress
November 12, 2012
Prague, Czech Republic

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.

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