Unfiltered Orange | The Second Half of the eDiscovery Year in Review

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.

This special update is designed to provide readers a single location that they can link to, search and reference as they consider the news stories in the field of eDiscovery during the period of July through December 2012.

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December 19, 2012 (End of Year Edition)

eDiscovery News
Content and Considerations

- Consulting Expert Retained by Client Prior to Anticipation of Litigation Not Immune from Discovery - http://bit.ly/TuH7kO (Gregory Joseph)
- Culling and Keywords: Going Broad Without Going Astray – http://bit.ly/VLUwDD (Karen Baumer)
- Marital Communications are “Essential to Preservation of Marriage” – Unless Made from Workplace Computer http://bit.ly/Trodv5 (Gil Keteltas)
- No Expert Testimony, No Motion to Compel - http://bit.ly/TqS6Mh - (Josh Gilliland)
Twitter Followers Held Hostage? The Legal Risks Of Outsourcing Social Media – http://bit.ly/12l1CEH (Christopher Zara)


Reports and Resources


Sight and Sound


Technology and Tactics

- 8 Modest Proposals For Reducing Email - http://bit.ly/TuGgRj (Kevin Casey)
- According to IDC, Big Data is Only Getting Bigger – http://bit.ly/U6mMnl (Doug Austin)
- Compliance Officers Getting More Respect Than Resources - http://bit.ly/12lRewk (Catherine Dunn)
- DOJ And SEC Issue Guidance On FCPA – Includes Criteria For Evaluating Companies’ Compliance Efforts http://bit.ly/TycTgL (James Keneally)
  (Kit Eaton)

Vendor Views
Industry Landscape

• A Company and eDiscovery Offering Overview – Orange Legal Technologies – http://bit.ly/V4NgEEx (@OrangeLT)
• Abtin Buergari’s Modus Disrupts “Corrupt” eDiscovery Business – Forbes – http://onforb.es/U0c2s1 (Bruce Rogers)
• Apersee Introduces Industry Press Releases Section - http://bit.ly/12IOEaj (George Socha, Tom Gelbmann)
• bluesource and DiscoveryLogix Reduce eDiscovery Costs By 30% - http://yhoo.it/12mQSFm (PR Newswire)
• C2C Announces Promotion to Replace Email Archiving Solutions From Autonomy – http://mwne.ws/ZpdJSb (Marketwire)
• Catalyst Joins With Zapproved to Expand Cloud-Based E-Discovery Workflow With Legal Hold Pro - http://yhoo.it/12bDqFJ (Press Release)
• Deloitte Poll: Do Legal and IT Speak the Same Language? http://prn.to/Zpd7w2 (Deloitte)
• HP Former CEO Says Board Shares Blame for Autonomy Deal – Bloomberg – http://bloom.bg/12pgMc3 (Aaron Ricadela)
• Final Thoughts from an Insider’s Outsider - http://bit.ly/12phypn (Howard Sklar)
• North Shore Credit Union Chooses Autonomy – an HP Company – to Secure Data and Reduce Costs - http://prn.to/U4q8ar (PR Newswire)
• Passware Releases the Industry’s First Efficient Decryption Solution for the New MS Office 2013 – http://yhoo.it/ZglRlt (PR Newswire)
• Recent Hires in the Legal Technology Industry - [http://bit.ly/12mQYx8](http://bit.ly/12mQYx8) (Michael Roach)

December 12, 2012

eDiscovery News
Content and Considerations

• Lawyer for eDiscovery Company Predicts Predictive Coding Will Become an Ethical Obligation – [http://bit.ly/Vm8Z9g](http://bit.ly/Vm8Z9g) (Debra Cassens Weiss)

Reports and Resources


Sight and Sound

• eDiscovery 3.0: What You Really Need to Know About eDiscovery with Craig Ball – Video – http://bit.ly/RYiCnK (BlackStone Discovery)

Technology and Tactics

• A Reminder to Employers of the Need for Social Media Policies – http://bit.ly/WYr4p (James Kachmar)
• Do People Really Use The Internet To Find Lawyers? http://bit.ly/Uz756o (Gyi Tsakalakis)
• Ensuring the Quality of Quality Data – http://bit.ly/SyEjOG (Kathleen Aller)
• Find the Weakest Software Link Before Hackers Do – http://bit.ly/SyMoYA (Judy Selby)
- Gmail Goes Down, Frustrating Office Workers – [http://nyti.ms/RZhiwb](http://nyti.ms/RZhiwb) (Claire Cain Miller, Jenna Wortham)

**Vendor Views**

**Industry Landscape**

- Autonomy’s Lynch Hasn’t Heard From HP in Accounting Row – [http://bloom.bg/S33YXN](http://bloom.bg/S33YXN) (Amy Thomson, Marta Marino)
- EMC Atmos 2.1 Accelerates Cloud Value – [http://bit.ly/12kCT3w](http://bit.ly/12kCT3w) (Mike Matchett)
- FTI Consulting, Inc. Announces Expiration and Final Results of Tender Offer – [http://prn.to/12kCMEV](http://prn.to/12kCMEV) (PR Newswire)
- Paragon Legal Technology Support Manages Big Data Growth with EMC - http://prn.to/ZeiiP3 (PR Newswire)
- Symantec Achieves Federal Information Processing Standard and Common Criteria Certifications – http://on.mktw.net/X5BU2o (Marketwire)
- TASA Announces Partnership with MerlinOne to Offer e-Discovery Solution to Law Firms – http://prn.to/DRDvJN (PR Newswire)
- The Oliver Group Expands Expertise in Mobile Forensic Collections – http://yhoo.it/SDnTt6 (PR Web)
- VMware Deploys Proofpoint Suite of Solutions – http://mwne.ws/S46exR (Marketwire)

December 5, 2012

eDiscovery News
Content and Considerations

- Defensible Deletion Gaining Steam – http://bit.ly/SuLCf2 (Barry Murphy)
- Predictive Technologies May Avert Potential Data Archiving Trainwreck – [http://aol.it/RyO7Qy](http://aol.it/RyO7Qy) (Wyatt Cash)

Reports and Resources


**Sight and Sound**


**Technology and Tactics**

• Court Orders Monitoring to Ensure Employee does not Breach Non-Compete - http://bit.ly/SvHXxw (Tai Kadar)
• Court Upholds F.C.C. Rule on Use of Data Networks - http://nyti.ms/RBaQeA (Edward Wyatt)
• DOJ and SEC Issue FCPA Guidance – http://hvrd.me/X3H1VA (Marc Rosenberg)
• Legal Concerns Curb Corporate Cloud Adoption – Computerworld – http://bit.ly/SuD47V (Howard Baldwin)
• Right to be Forgotten Can’t be Enforced on the Internet, says European Security Agency – http://bit.ly/V47SwF (Winston Maxwell)
• Sovereignty and the Geography of Cyberspace - http://bit.ly/Sxdf7o (Betrand de la Chapelle)
• Why You Might Not Want Facebook To Have A Copy Of Every Photo You Take With Your Smartphone – http://onforb.es/RyL8aN (Kashmir Hill)

**Vendor Views**

Industry Landscape

• About Orange Legal Technologies: Company and eDiscovery Offering Overview – http://bit.ly/V4NgEx (@OrangeLT)


Autonomy Foes Circling to Poach Customers – http://bit.ly/Vg9n2 (Larry Walsh)


Cluster Analysis 101 – Or, “This is Not Your Mom’s Summation” - http://bit.ly/X3DnuZ (Scott Lefton)


FTI Consulting, Inc. Announces Initial Purchase of 7 3/4% Senior Notes Due 2016 and Requisite Consents – http://prn.to/UZ54AU (PR Newswire)

FTI Consulting, Inc. Completes New $350.0 Million Senior Secured Revolving Credit – http://prn.to/WZHF6F (PR Newswire)


HP Unveiling Software From Embattled Autonomy Unit – http://buswk.co/RyPv5y (Aaron Ricadela)

HP’s Whitman Affirms Commitment to Autonomy, Stresses that HP Remains ‘Quite Profitable’ http://bit.ly/RBdvFg (Chris Kanaracus)


In Autonomy Debacle, HP Turns to Morgan Lewis – http://bit.ly/Rw64Pj (Vanessa Blum)

Interview with Eddie Sheehy, CEO, Nuix – http://bit.ly/ROVg5H (Forensic Focus)

IPRO Releases 3.3 Version of Web-Based Review Platform Eclipse – http://mwne.ws/V0I30u (Marketwire)


kCura Releases Relativity 7.5 – http://mwne.ws/Sxv5Is (Marketwire)


Robert Eisenberg joins iDiscovery Solutions as a Director – http://bit.ly/V1qRbe (Press Release)

Robert Eisenberg joins iDiscovery Solutions as a Director – http://bit.ly/V1qRbe (Press Release)

• ScaleIO Raises $12M For Software-Based Storage To Compete Directly With EMC, IBM And HDS – http://tcrn.ch/Vl1u31 (Alex Williams)
• TCDI Now SOC 2SM Compliant – http://bit.ly/V0IAj3 (Business Wire)

November 28, 2012

eDiscovery News
Content and Considerations

• Are Courts Beginning To Take Proportionality Seriously In eDiscovery? http://bit.ly/UMt7ms (Howard Merten, Paul Kessimian)
• Best Practices for Preparing a Clalback Agreement - http://hvrd.me/Wxm1r9m (Noam Noked)
• Can I Use Archive.org to Authenticate Electronic Evidence? http://bit.ly/USUNq2 (Justin Capuano)
• Coping With eDiscovery: Practical Tips From An Experienced Litigator - http://bit.ly/UN6zC4 (Christopher Cox)
• Ex-Employee is Not Required to Produce iPhone in Discovery - http://bit.ly/WwYvcG (Jeff Kosseff)
• Expert Witness: Chief Judge James Holderman Discusses eDiscovery Pilot Program - http://bit.ly/YkI0Hk (Jason Krause)
• From Law Clerk to First Chair: Effective Positioning of TAR - http://bit.ly/UxiDHx (Stephanie Maw)
• Hammer and Wiping Software Use to Destroy Evidence Results in Dismissal of Plaintiff’s Claims – http://bit.ly/WWTXN5 (K&L Gates)
• Legality of Warrantless Cellphone Searches Goes to Courts and Legislatures - http://nyti.ms/YkoFzV (Somini Sangupta)
• New Sources Of Relief From E-Discovery Burdens - http://bit.ly/Uxi7t8 (Mark Austrian)
• Part Three: Like it or Not, Predictive Coding is Here and Judges Want you to Use it - http://bit.ly/WSXgog (Cat Casey)
• Predictive Coding Metrics are for Weenies – Part IV - http://bit.ly/YmKDCw (Karl Schieneman)
• Summary of the EDI Summit - http://bit.ly/YiZQV9 (Peter Pepiton)
• Surreptitious Text Messages to Communicate with a Client During a Deposition Are Not Privileged – http://bit.ly/WSN7It (Suzanne Janusz)

Reports and Resources

- Court Adopts New eDiscovery Guidelines Effective November 27, 2012 - [http://1.usa.gov/1zaGu](http://1.usa.gov/1zaGu) (US District Court, Northern District of CA)
- Legal IT Professionals 2012 Global Cloud Survey Report (PDF) - [http://svy.mk/V3WAXv](http://svy.mk/V3WAXv) (@LegalIT)

Sight and Sound

- H-P Autonomy Mess a Governance Question: Accounting Expert [Video] [http://on.wsj.com/UYtEll](http://on.wsj.com/UYtEll) (Vipal Monga)

Technology and Tactics

- Banned on Wall St.: Facebook, Twitter and Gmail - [http://nyti.ms/UY0PMK](http://nyti.ms/UY0PMK) (Michael Kaplan)
- Secret Email And Texting Apps – Business Insider - [http://read.bi/YngN0D](http://read.bi/YngN0D) (Dylan Love)
- Study Finds Rise in Texting Even as Revenue Drops - [http://nyti.ms/Ymoc0c](http://nyti.ms/Ymoc0c) (Brian Chen)
• Twitter CEO Dick Costolo: Users Can Download Their Entire Archive By Year-End - http://bit.ly/YmlBDu (Sarah Perez)
• Veenome Raises Another $600K To Translate Video Content Into Machine-Readable Data - http://tcn.ch/WW0Wpt (Anthony Ha)

Vendor Views
Industry Landscape

• A Hong Kong eDiscovery Snapshot in the Company of Epiq Systems - http://bit.ly/WVtQ9b (Chris Dale)
• Apersee Expands Events Calendar - http://bit.ly/WWmAd7 (Web Announcement)
• Autonomy’s Mike Lynch: HP Is Like A Plane With The Engine On Fire - http://read.bi/USXRlO (Julie Bort)
• C2C’s ArchiveOne Achieves Cornerstone Compliance throughout Harrow College - http://bit.ly/WWnFld (Press Release)
• Deal Lawyers Mostly Mum on HP’s Ill-Fated Autonomy Acquisition - http://bit.ly/YiDUJU (Brian Baxter)
• EDRM: Beyond the Boxes - http://bit.ly/YodrKZ (Samantha Green)
• First Advantage Litigation Consulting Expands Operations in Hong Kong - http://on.mktw.net/Wy5bay (Marketwire)
• HP Investor Sues Over Losses From Alleged Autonomy Fraud - http://bloom.bg/UX4B1 (Joel Rosenblatt)
• kCura Relativity Assisted Review – Case Study/Workflow | Digital Forensics and eDiscovery - http://bit.ly/V2Q5UA (Millnet)
• Kroll Ontrack Announces Ninth Annual Top Ten List of Data Disasters - http://yhoo.it/UUtWJZ (Business Wire)
• Long Before H-P Deal, Autonomy’s Red Flags - http://on.wsj.com/USYfkf (Ben Worthen, Paul Sonne, Justin Scheck)
November 21, 2012

**eDiscovery News**
Content and Considerations

- Court Considers Offer And Acceptance In The Age Of Email - [http://bit.ly/Wt0Gy4](http://bit.ly/Wt0Gy4) (@ITLexOrg)
• Law Firm eDiscovery Reaches Crossroad – http://bit.ly/UI73aM (Gina Passarella)
• Louisiana Order Dictates That the Parties Cooperate on Technology Assisted Review – http://bit.ly/Wpk8M8 (Doug Austin)
• Part Two: Like it or Not, Predictive Coding is Here and Judges Want you to Use it – http://bit.ly/UK6f5m (Cat Casey)
• Prosecuting Offensive Tweets – Should The Number of Followers Matter? — Slaw
• The eDiscovery Implications Of The Cloud – http://bit.ly/XNv46w (Chris Dale, Patrick Burke)
• The NHCAA, Jackson Pollock, and Predictive Coding – http://bit.ly/WqEJzz (Kathleen Aller)
• The ROI of Predictive Coding – http://bit.ly/XK2XF1 (Bill Tolson)

Reports and Resources


Sight and Sound

• Are you the Turkey this Thanksgiving? http://bit.ly/UgAX7I (@OrangeLT)

Technology and Tactics

• $250m Text Spamming Case Against Papa John’s Allowed To Proceed – http://bit.ly/XK2RXk (@ITLexOrg)
- Information Commissioner’s Office Set to Issue First Fines Under Privacy and Electronic Communications Regulations – http://bit.ly/WqCCM0 (Cynthia O’Donoghue)
- Mandamus as Tool to Challenge Denial of Protection for Confidential Data – http://bit.ly/Wt0xun (Gregory Joseph)
- What the Petraeus Investigation Tells Us About Online Surveillance – http://bit.ly/UJib7g (J.D. Tuccille)

Vendor Views
Industry Landscape

- Actiance Expands Sales Management Team to Drive Growth in the Social Enterprise – http://bit.ly/XMiC73 (Marketwire)
- Autonomy’s Mike Lynch Denies Charges – http://read.bi/UfbQ5e (Julie Bort)
- bluesource Becomes Most Accredited Clearwell eDiscovery Platform Partner – http://prn.to/XI8dJy (PR Newswire)
- Catalyst and Rimkus Analytics Join Forces to Offer E-Discovery Technology and Consulting – http://mwnr.ws/UaDHDC (Marketwire)
- e-Stet Awarded Relativity Best in Service Designation – http://yhoo.it/WqE9Io (PR Web)
- HP Takes $8.8 Billion Writedown on Autonomy – http://cnnmon.ie/Wt1u63 (David Goldman)
- X1Discovery Releases Version 3.0 of X1 Social Discovery – [http://yhoo.it/UGYtJs](http://yhoo.it/UGYtJs) (Business Wire)

**November 14, 2012**

**eDiscovery News**

**Content and Considerations**

• Judge Carter Refuses to Disqualify one of SDNY’s “Experts in eDiscovery” – More on Da Silva Moore – http://bit.ly/Xp7RY7 (Gil Keteltas)
• New York Courts Continue to Deem Social Networking Sites Discoverable – http://bit.ly/UxVHGl (Matthew Podolnick)
• Patently Unclear – http://bit.ly/XkkP6e (Craig Ball)
• Predictive Coding Metrics are for Weenies – Part III – http://bit.ly/UEJVtG (Karl Schieneman)
• Recusal Motion in Da Silva Moore Case Denied – http://bit.ly/Q0dMRA (Philip Favro)
• That E-mail Is Mine; Or Is It?: Who Owns an E-mail Message? | Data Governance Law – http://bit.ly/XBAYYP (Tim Banks)
• The Employer’s Duty to Preserve “ESI” – http://bit.ly/Xz6C8J (Francis Cook)
• Using the Same eDiscovery Vendor as your Opponent – http://bit.ly/XyXReW (Elizbeth Cohee)
• When It Comes to eDiscovery, Leave the Driving to Us – http://bit.ly/UvyTWW (Bob Ambrogi)

Reports and Resources

• Disclosure and Discovery in Utah – http://bit.ly/Uy1vzC (Utah Courts)
• November Edition of Notable Cases and Events in #eDiscovery (PDF) http://bit.ly/RTr5Sl (Sidley Austin)

Sight and Sound

**Technology and Tactics**

• Dropbox Passes 100 Million Users – [http://nyti.ms/UGbaUW](http://nyti.ms/UGbaUW) (Jenna Wortham)
• Ex-Spy Chief David Petraeus Gave His Mistress Access To His Email – [http://onforb.es/XuTzFq](http://onforb.es/XuTzFq) (Kashmir Hill)

**Vendor Views**

**Industry Landscape**

• BIA eDiscovery Updates TotalDiscovery to Include Notification Features – [http://prn.to/UyktGk](http://prn.to/UyktGk) (PR Newswire)
• Catalyst Partners With Equivio to Deliver Unparalleled Predictive Coding Technologies – [http://bitly.XCaBL8](http://bitly.XCaBL8)
November 7, 2012

eDiscovery News
Content and Considerations

• Defendant Ordered to Retain Outside Vendor, Monetary Sanction Awarded - http://bit.ly/QhSxdX (Doug Austin)
• eDiscovery Certifications Expanding Reach – http://bit.ly/RziiRP (Kacina Shaw)
• How to Preserve Data When You Can’t Trust Your Adversary - http://bit.ly/Q7xbjf (Judy Selby, Brian Esser, Joshua Rog)
• Judicial Activism: Delaware Judge Orders Both Sides To Use Predictive Coding - http://bit.ly/QaK3VW (Chris Dale)
• Like it or Not, Predictive Coding is Here and Judges Want you to Use It - http://bit.ly/QaEBlR (Cat Casey)
• Predictive Coding Metrics Are For Weenies – http://bit.ly/SRF1x3 (Karl Schieneman)
• Recent Court Decisions Remind Legal Teams to Proactively Address eDiscovery Requirements – http://bit.ly/RztUob (Mike Hamilton)
• Rule 37(c)(1) – Factors for Determining Whether a Failure to Disclose or Make Discovery Is Harmless – http://bit.ly/QhT9QB (Gregory Joseph)
• Social Media Discovery Request Ruled Overbroad – http://bit.ly/SD4KZZ (Doug Austin)
• Spoliation Inference Is Appropriate Sanction in Fraud and Breach of Contract Case - http://bit.ly/Q6LKnj (Lauren Winchester)
• The Main Messages from eDiscovery Ireland 2012 in Dublin - http://bit.ly/Rz1Cdo (Chris Dale)
• Wreck-IT Ralph: Things in #eDiscovery that I Want to Destroy! http://bit.ly/RL2WKj (Ralph Losey)

Reports and Resources

• Designing, Implementing, Maintaining and Releasing Legal Holds (PDF) http://bit.ly/RQ41Ao (Browning Marean, Kathy Owen, Bradley Smyer)
• Discovery about Discovery: Sampling Practice and Resolution of Discovery Disputes (PDF) - http://bit.ly/RB0nO8 (Nick Landsman)

Sight and Sound

• Are you the Turkey this Thanksgiving? http://bit.ly/RN4gfL (@OrangeLT)
• Litigation Holds: Seven Steps For Companies Facing Lawsuits or Investigations - http://bit.ly/WcbAca (Mary Jacoby)
• TAR Update: Precision, Recall, F-measure & Kleen Products Revisited - http://bit.ly/RR5PJs (Michelle Lange, Ralph Losey)

Technology and Tactics

• Arrest of Ceglia Who Sued for 84% Ownership of Facebook - http://bit.ly/Q6dTeC (Peter Vogel)
• Big Data in Law: Cloud Challenge, Analytics Opportunity – http://onforb.es/Q6FwUr (Dave Einstein)
• Consolidation At The Disk Backup Appliance - http://bit.ly/RN5Y0s (George Crump)
• Court Ruling Seems to Overlook the Online Fact v. Opinion Question - http://bit.ly/Rz1ri6 (Eric Johnson)
• EPA Chooses Cloud For Email - http://bit.ly/RzbUdo (Nicholas Hoover)
• For UK Midtier, Cloud Is the Great Leveler – http://bit.ly/T0S3FZ (Kim Davis)
• Text Messaging Between Clinicians Increasing In Hospitals - http://bit.ly/RuPx8X (Ken Terry)
• Trial Lawyers and Social Media - http://bit.ly/Q8qJbQ (Cheryl Garber)
• Ways to Help IT Manage Big-Data at Lower Cost – http://bit.ly/RF1rR3 (Maria Korolov)

Vendor Views
Industry Landscape

• About Talent and Technology: Complete Managed Review From OrangeLT™ - http://bit.ly/GR5Jv0 (@OrangeLT)
• Advanced Discovery Builds on eDiscovery Expertise with New Staff Additions - http://bit.ly/RQ2QRu (PR Web)
• BIA Announces ACEDS Certification of its Professional Services Management Team - http://sacb.ee/TdZ9a3 (Press Release)
• Concept Searching Partners with Stonebridge - http://bit.ly/RN0WBh (PR Web)
• eMag Solutions Develops a Plan for Victims of Hurricane Sandy – http://yhoo.it/REZBzH (PR Newswire)
• EMC Launches Massive Wave of Content Management Products and Solutions - http://prn.to/QkeTLW (PR Newswire)
• Fios Honored by kCura as Orange-level Relativity Best in Service Partner - http://bit.ly/ROB9YT (Business Wire)
• Idaho Central Credit Union Selects Hyland Software’s OnBase Solution to Support Enterprise-Wide Growth – http://on.mktw.net/Q6dtEu (PR Newswire)
• Iron Mountain Reports Third Quarter 2012 Financial Results – http://yhoo.it/Q8qD3R (Business Wire)
• kCura Relativity to Add Processing Engine - http://bit.ly/XfLioN (Evan Koblentz)
• Latest Update: 10 Years of eDiscovery Mergers, Acquisitions and Investments - http://bit.ly/LyFEOF (@ComplexixD)
• Loading in Summation – Easy as 1, 2, 3… http://bit.ly/SXtg5C (Keith Schrodtk)
• Mindseye Introduces All-In-One TunnelVision eDiscovery Appliance - http://bit.ly/QaJ1t9 (PR Web)
• Nilan Johnson Lewis, PA Brings Relativity In-House - http://on.mktw.net/Q6nSAe (Press Release)
• OpenText Management Discusses Q1 2013 Results – Earnings Call Transcript - http://bit.ly/Q8qq0I (Seeking Alpha)

Textkernel Selects Autonomy, an HP Company, to Power Document Extraction - http://prn.to/QhSor0 (PRNewswire)

The Dolan Company Reports Third Quarter 2012 Results - http://aol.it/QaKpfc (Business Wire)


October 31, 2012

eDiscovery News

Content and Considerations

- Both Sides Instructed to Use Predictive Coding or Show Cause Why Not – http://bit.ly/Q1H6qx (Doug Austin)
- Court Instructs Parties to Utilize Predictive Coding, Requires Show of Cause to Avoid It – http://bit.ly/SJ3StJ (K&L Gates)
- Delaware Chancellery Court Sua Sponte Orders Parties to Use Predictive Coding – http://bit.ly/Q2ICZv (Wendy Curtis, Jeffrey McKenna)
- First Few Weeks of EDBP, the Shoulders of Giants, and the Great Debates of TAR v. CAR and Ball v. Jaar – http://bit.ly/Q1z8ha (Ralph Losey)
- FTC and ITC Issue New Final and Proposed Rules on Electronic Discovery (PDF) http://bit.ly/RmoQ6k (Cahill)
- Predictive Coding Metrics are for Weenies – Part I – http://bit.ly/Q1FZas (Karl Schieneman)
• Should eDiscovery Vendors Sue Their Deadbeat Clients? http://bit.ly/StSMvY (Sharon Nelson)
• Surprise Ruling by Delaware Judge Orders Both Sides To Use Predictive Coding – http://bit.ly/R3PYYv (Ralph Losey)
• Time to Take Out the Data Trash – eDiscovery101 – http://bit.ly/SrNAhN (Bill Tolson)

Reports and Resources

• Planning in the Digital Age – Digital Assets (PDF) http://bit.ly/R0Q8iB (Gerry Beyer)

Sight and Sound

• 3 Baritone eDiscovery Voices Discuss the Meet and Confer Challenge – http://bit.ly/Prcjna (Karl Schieneman)
• eDiscovery Done Right (Case in Point) – http://bit.ly/HM288p (Tom Fishburne)
• Right Team, Vendor, and Data Plan Nip eDiscovery Costs in Bud – http://bit.ly/PU8iaL (Kimberly Carradine)

Technology and Tactics

• 3 Email Threats You Need to Be Aware Of – http://bit.ly/SrI0Ml (Jeff Orloff)
• Companies Aligned Against Court in Apple-Samsung Record-Sealing Spat – http://bit.ly/R2SVI1 (Vanessa Blum)
• Did You Know Cloud Computing Has Been Around Since the ’50s? http://on.mash.to/Se5gNL (Neha Prakash)

Vendor Views

Industry Landscape

Avoid The eDiscovery “Trick” This Halloween – http://bit.ly/TgkP3e (@OrangeLT)
EMC Slides After 3Q Results Show Slowdown – http://yhoo.it/PS1dr4 (Associated Press)
D4 Named as One of Rochester’s Top 100 for Third Year in a Row – http://bit.ly/SrN7fG (PR Web)
Evolve Discovery Awarded Orange-Level Relativity Best in Service Designation – http://yhoo.it/StRC6w (Marketwire)
IGC Announces Brava 7.1 for IBM FileNet P8 at IBM Information on Demand – http://yhoo.it/S5ubx (Marketwire)
Karen Unger Joins SuperiorDiscovery as Vice President – http://bit.ly/RdMJIm (PR Web)
Kasowitz, Benson, Torres & Friedman LLP Chooses Relativity - http://on.mktw.net/R10oHA (Press Release)
Merrill DataSite(R) Virtual Data Room Honored – http://on.mktw.net/PS5wTk (Business Wire)
RenewData Appoints Hemanth Salem as Chief Operating Officer – http://bit.ly/RivlHo (Business Wire)
Yammer Integrates With Multiple Security Partners and Adopts EDRM Standard for Data Export – http://on.mktw.net/RiwkXY (PR Newswire)

October 24, 2012

eDiscovery News
Content and Considerations

- Cloning of Computer Files: When There’s a Will, There’s a Way – eDiscovery Case Law - http://bit.ly/9vG0t (Doug Austin)
- Discovery of Social Media Information is Subject to Same Rules as Paper Discovery - http://bit.ly/RufVc (Jay Yurkiw)
• How to Protect Your Personal Device (and Personal Information) from Discovery - [http://bit.ly/PLNT71 (Brian Bialas)]
• In Search, Evaluation Drives Innovation; Or, What You Cannot Measure You Cannot Improve – [http://bit.ly/RO03fr (J. Pickens)]
• No Bates Numbers in a Native Production? Get Over It! - [http://bit.ly/Pn7viM (Doug Austin)]
• Oral Hold Notice Invalidated as “Completely Inadequate” such that it “Borders on Recklessness” - [http://bit.ly/PLlg5x (Ralph Losey)]
• PDF – Is This Really the Best Format for Litigation Review and Production? [http://bit.ly/PEADsq (Maureen Holland)]
• Planning for eDiscovery and Security in the Cloud - [http://bit.ly/RXNc4 (Barry Murphy)]
• Servers and Hard Drives Disappear, But Court Holds No Spoliation | eLessons Learned - [http://bit.ly/QnUDmP (Kathy Trawinski)]
• Strategic Approach to Cloud eDiscovery: Five Key Considerations - [http://bit.ly/S3pbPx (Bryant Bell)]
• The “E’s” of Predictive Coding – Part Two - [http://bit.ly/PEvFsO (Karl Schieneman)]
• Warning: eDiscovery Missteps Can Open Up the Door to Identity Theft - [http://bit.ly/S3o1Uf (Samantha Green)]
• What is Legal when Collecting and Processing Personal Data? [http://bit.ly/RZSti3 (Chris Dale)]
• What eDiscovery Costs Are Recoverable? [http://bit.ly/RAdeX1 (Gabriela Baron)]

Reports and Resources

• Effective Keyword Selection Requires a Mastery of Storage Technology and the Law - [http://bit.ly/QrWszg (Daniel Garrie)]
• SocialMedia and eDiscovery: Emerging Issues - [http://bit.ly/PCafBn (Adam Cohen)]
• The Global 100 – World’s Largest Law Firms (PDF) [http://bit.ly/PJ9LAvy (The American Lawyer and Legal Week)]

Sight and Sound

• 100 Percent Chance You’ll Learn Something From These Sampling Experts – [http://bit.ly/Rue5Am (Jim Wagner)]
• Case in Point for Monday, October 22 – “Fast Lane” - [http://bit.ly/RXQ6vT (Tom Fishburne)]
• Social Media Marketing Industry [Infographic] [http://bit.ly/PLMsGr (Go-Globe)]

Technology and Tactics

• Can a Tweet Take Down a Cease and Desist? [http://bit.ly/Ru9ez6 (Sheri Qualters)]
• Clueless About Cloud Computing - [http://bit.ly/PFQrUI (Susanna Sharpe)]
• Court Treats Degrading Online Postings As Protected Free-Speech Opinions - [http://bit.ly/PJarpH (Eric Johnson)]
• Email Security Basics for the New Admin - [http://bit.ly/PAtnGZ (Jeff Orloff)]
• Employers Can Hijack Your LinkedIn Account, Court Rules – Internet & Online Privacy - [http://bit.ly/QvFU9l (Deane Katz)]
• Five Questions To Ask About How Your Corporate Legal Information Is Secured - [http://bit.ly/QH6dtz (Jonah Paransky)]
• Getting Started with Email Encryption - [http://bit.ly/S3oDsN](http://bit.ly/S3oDsN) (Jeff Orloff)
• Judge Questions Tools Used to Track Cell Phones - [http://on.wsj.com/RXOO4d](http://on.wsj.com/RXOO4d) (Jennifer Valentino-DeVries)
• Judge Rules Intercepting Traffic on Open WiFi Networks is Legal - [http://bit.ly/Ruat1c](http://bit.ly/Ruat1c) (Ryan Thomas)
• Kia Motors Drives Technology Test for Outside Counsel - [http://bit.ly/QHaQmN](http://bit.ly/QHaQmN) (Monica Bay)
• Social Media is History - [http://bit.ly/RgLThl](http://bit.ly/RgLThl) (Jason Krause)
• U.S. Customs Workers to Switch to iPhones From BlackBerrys - [http://nyti.ms/PO6xM7](http://nyti.ms/PO6xM7) (Ian Austin)

**Vendor Views**  
**Industry Landscape**

FTI Consulting Announces Predictive Discovery Solution - http://prn.to/RZTV31 (PR Newswire)
IBM Q3 Earnings - http://read.bi/PBF3cC (Mathew Boesler)
LexisNexis Introduces New Version of Concordance Native Viewer - http://yhoo.it/Qxk6uf (Business Wire)
Recommind Appoints Mark Moore to Senior Vice President of Products - http://bit.ly/R1JSrW (Press Release)
Reviewing the Web: What to do When the Evidence is Online – AccessData - http://bit.ly/PJaSjP (Caitlin Murphy)
Sonian Announces Partnership With Apptix - http://mwne.ws/RqHOtV (Marketwire)
The Oliver Group Highlights Remote Collection and Forensic Data Acquisition Services - http://yhoo.it/PM1ifW (PR Web)
Xact Data Discovery Acquirers Houston Based Flash Discovery - http://bit.ly/QCsf0B (Brad Jenkins)
ZL Technologies Announces New Corporate eMemory™ Initiative - http://prn.to/QMk6Xs (PR Newswire)

October 17, 2012

eDiscovery News
Content and Considerations

- Be Concrete! Court Requires Specificity for eDiscovery in Ford’s Contaminated Concrete Case – http://bit.ly/RnqNmH (eLessons Learned)
• Court Orders Monetary Sanctions of $625K For Defendant’s Spoliation of Evidence – http://bit.ly/Qm6sel (Michael Hamilton)
• eDiscovery: Collect Metadata to Avoid ESI Headaches - http://bit.ly/QqAM7X (Gregory Schodde)
• eDiscovery Education? Yes! eDiscovery Certification? Maybe… http://bit.ly/Rx2dA5 (Barry Murphy)
• eDiscovery: Four Important Lessons From The Restaurant Business - http://bit.ly/QgB1m0 (David Reif)
• Federal Judge to Be Keeper of Disputed Data in PayPal Hacking Case - http://bit.ly/Rg5h0K (Vanessa Blum)
• IRS Tries (Again) on eDiscovery | Discovery Advocate - http://bit.ly/PElMk (Stuart Bassin, Gil Keteltas)
• How to Keep “Big Data” From Turning into “Bad Data” Resulting in eDiscovery and InfoGovernance Risks – http://bit.ly/QkZ9DZ (Dean Gonsowski)
• Keep Your Social Media Discovery Targeted! http://bit.ly/Ql6fIA (Jennifer Walrath)
• Lyrics Website Fined $6.6m For Copyright Infringement - http://bit.ly/RwO1M (@ITLexOrg)
• Predictive Coding – From the Outside In… - http://bit.ly/Ri23w (Drew Lewis)
• Reading Someone’s Webmail Not A Violation of Stored Communications Act - http://bit.ly/UXjdG (Graham Martin)
• SCOTUS Declines to Weigh In on the Taxation of eDiscovery Costs - http://bit.ly/Re2yHH (Carey Busen)
• “‘Siri®, How Much Discoverable ESI is on My Smartphone?’” http://bit.ly/PzubMg (@LexisNexis)
• The “E’s” of Predictive Coding – Part One - http://bit.ly/TiU01 (Karl Schieneman)
• The Email Pyramid - http://bit.ly/RAYTVx (Mark Mandel)
The Use of Illegally Obtained Evidence - http://bit.ly/Qm5r6p (Joel Cohen)

Reports and Resources

- A Corporate End-User’s Handbook for Dodd-Frank Title VII Compliance - http://hvrd.me/P0xivV (Noam Noked)
- The ‘Audience Targeting’ Test for Personal Jurisdiction in Internet Defamation Cases (PDF) - http://bit.ly/RwBT97 (Sarah Ludington)

Sight and Sound


Technology and Tactics

- Browser Tools Can Help Block Tracking by Social Networks - http://nyti.ms/Qp2hP6 (Somini Sengupta)
• Exterro Fusion(R) E-Discovery Platform Advances With Predictive Technologies Across the EDRM – http://yaho.it/PBQJvQ (Marketwire)
• EU Data Law Could Hamper International Arrests - http://reut.rs/Qp8A5h (Claire Davenport)
• How to Wipe Company Data on Employees’ Mobile Devices while Leaving Personal Data Alone - http://bit.ly/RlSexn (Joshua Konkle)
• Social Media Upsending Privacy in Real World - http://nyti.ms/QGTrwc (Nick Bilton)
• The Real Reason Walmart’s Social Media Policy Survived and Costco’s Didn’t (Hint: It’s Not “Defamation”) http://bit.ly/QK2LzD (Brian Wassom)
• Using Search Analytics To See Into Gartner’s $232B BigData Forecast – http://onforb.es/Rx8HPp (Louis Columbus)

Vendor Views
Industry Landscape

• Arsenal Recon Launches Revolutionary Computer Forensics Solution - http://on.mkrew.net/QHKYZN (Marketwire)
• Australian Startup Offers eDiscovery for SMEs - http://bit.ly/RiScepO (Image and Data Manager)
• C2C Maximizes eMail Archiving Flexibility and Control With Support for the Hybrid Cloud – http://on.mkew.net/Qn1te2 (Marketwire)
• Catalyst Releases High-Fidelity, Tokenized Predictive Coding Services to Japanese Market – http://yaho.it/QhTpej (Marketwire)
• Endecia Competitor Attivio Raises $34M in First Outside Investment – Boston Business Journal – http://bit.ly/Qm1RsZ (Kyle Alspaich)
• FTI Consulting Bolsters Health Solutions Team - http://on.mktw.net/Ri2u9P (PR Newswire)
• Guidance Software Releases EnCase® Forensic v7.05 - http://yhoo.it/Ri3cUp (Business Wire)
• IBM Q3 Earnings - http://read.bi/PBF3cC (Mathew Boesler)
• Legal Holds in Office 365 - http://bit.ly/RB7d6x (Greg Buckles)
• Legal IQ in Washington – Covering Every eDiscovery Subject in One Place - http://bit.ly/RnlxG (Chris Dale)
• Mindseye Introduces Full Production Capabilities and Storyboards with TunnelVision v3.4 – http://bit.ly/PBE0cD (PR Web)
• OpenText Appoints James Mackey as Senior Vice President of Corporate Development - http://bit.ly/Qm2fHP (PR Newswire)
• OpenText - New Cloud-Based Services Enable Secure and Effective Information Exchange – http://on.mktw.net/RBlTtq (PR Newswire)

October 10, 2012

eDiscovery News
Content and Considerations

• Are They Trying to Screw Me? Ball In Your Court - http://bit.ly/ObWxbv (Craig Ball)
• Attorneys Admonished by Judge Nolan Not to “Confuse Advocacy with Adversarial Conduct” - http://bit.ly/Q87YAZ (Ralph Losey)
• Bellwether Trial on Horizon for Porn File-Sharing Suits - http://bit.ly/ONHVDg (Saranac Hale Spencer)
• Cyberattack Case Could Test Limits on Electronic Searches - http://bit.ly/Ra7KMX (Vanessa Blum)
• eDiscovery: 4 Important Lessons From The Restaurant Business - http://bit.ly/QgB1m0 (David Reif)
• eDiscovery by the Numbers - http://bit.ly/Q82u9h (Chuck Kellner)
• For Spoliation, Court Holds Defendant in Contempt, Orders $600K to Plaintiff, $25K to Court - http://bit.ly/T1Ai7q (K&L Gates)
• Homo Electronicus - http://bit.ly/Uvy0eo (Craig Ball)
• Hot Topics and Recurring Issues In Recent eDiscovery Case Law – http://bit.ly/PO880j (James Bernard, Michael Quartararo, Jason Vinokur)
• ITC Proposes New Discovery Rules - http://on.wsj.com/R6RkVb (Joe Palazzolo)
• NLRB Agrees that Employee’s Facebook Post Is Unprotected, But Employer’s Courtesy Policy Is Unlawful – http://bit.ly/Q8dSC0 (Grant Collins)
• SCOTUS Declines to Weigh In on the Taxation of eDiscovery Costs - http://bit.ly/Re2yHH (Carey Busen)
• The 7 Deadly Sins of Information Governance - http://bit.ly/Q89rY7 (Devin Krugly)
• The Great Early Assessment Convergence - http://bit.ly/QbW3Ce (Bob Krantz)
• The Need for Electronic Discovery Education: Part 1 of 4 - http://bit.ly/Q8gYGg (Samantha Green)
• Want to be an eDiscovery Project Manager? Roll Up Your Sleeves - http://bit.ly/QgCV6b (Doug Austin)
• Wisconsin Lawyer Highlights America Invents Act, E-Discovery Costs, and Attorney Fees - http://bit.ly/RrCTsb (State Bar of Wisconsin)

Reports and Resources

• National Archives Joins Federal Agencies to Launch New Freedom of Information Act (FOIA) Online System – http://1.usa.gov/QLkMOG (NARA)
• Ten Years of eDiscovery Mergers, Acquisitions and Investments (10.5.12 Update) - http://bit.ly/LvFEOF (@ComplexD)
• Users Want ‘Do Not Track’ to Stop Data Collection On Online Activities (PDF) - http://bit.ly/QgEyAJ (Chris Hoofnagle, Jennifer Urban, Su Li)
Sight and Sound

- Infographic: Social Media Security Basics - [http://rww.to/Ra7b5F](David Strom)

Technology and Tactics

- 3 Simple (but Drastic) Steps to Enhance Security - [http://bit.ly/Ra6gBX](Maria Korolov)
- Discovering Social Media? The Perceived Value of Tweets - [http://bit.ly/xqwIkg](Paul Andre, Micheal Bernstein, Kurt Luther)
- HBR Consulting Survey Shows Law Department Spending Is Up - [http://bit.ly/QNXdXg](Monica Bay)
- Sarbanes-Oxley Marks a Decade of Disclosure - [http://bit.ly/OH0fOh](Catherine Dunn)
- The 5 Stages Of The NLRB’s Social Media Stance - [http://bit.ly/UEEPDL](Michael Schmidt)
- The National Strategy for Trusted Identities in Cyberspace (NSTIC) - [http://1.usa.gov/RdZCLf](@NSTICNPO)

Vendor Views

Industry Landscape

- BlueStar Case Solutions Delivers Defensible ESI Collections of Cloud-Based and Remotely Located Data – [http://yhoo.it/RdTQsX](PR Web)
- e-Stet Named One of America’s Fastest Growing Private Companies - [http://yhoo.it/O83s5p](PR Web)
- GGO Celebrates 10 Years of e-Discovery Service - [http://bit.ly/PeQial](Press Release)

Introduction to #eDiscovery Integration and Data Transfer Risk - http://bit.ly/syvqlq (@OrangeLT)


Nextpoint(.com) 2.0 – Trial & eDiscovery Software, Social Media Archiving - http://bit.ly/Ra8mlt (Jason Krause)


Rimkus Analytics, LLC Adds Two New Services to Digital Forensics Division - http://vho.io/R6Lr2r (Business Wire)


October 3, 2012

eDiscovery News
Content and Considerations


Always Explain “Why” to the Judge – http://bit.ly/PO0AL1 (Josh Gilliland)


Counsel’s Top Predictive Coding Concerns; Part 3 – Fear of Inadvertent Productions – http://bit.ly/PJVBLk (Bill Tolson)


Hot Topics and Recurring Issues In Recent eDiscovery Case Law - http://bit.ly/PO880j (James Bernard, Michael Quartararo, Jason Vinokur)

In-Place eDiscovery and In-Place Hold in the New Exchange – Part I – http://bit.ly/YP5E4P (Bharat Suneja)

In-Place eDiscovery and In-Place Hold in the New Exchange – Part II – http://bit.ly/Pxk5r3 (Bharat Suneja)
• On Remand, Court Finds Rambus Committed Spoliation, Will Adjust Royalty Rate as Sanction – http://bit.ly/PvmW3I (K&L Gates)
• Plaintiff Not a Pirate: Joint Venture Co. Downloads Files from Defendant’s Server After Dissolution http://bit.ly/Pri2EP (Jennifer Connelly)
• The Basics of Defensible Deletion – What Every GC Needs to Know About E-mail – http://bit.ly/QuzUSk (Pete Buckley)
• Rambus ‘Shred Days’ Ruled Spoliation, $397M Judgment Reduced – http://bit.ly/Pn446U (Jan Wolfe)
• Two Big States, Many Big Differences in Discovery Rules – http://bit.ly/PvrXcy (Matt Miller)

Reports and Resources

• Announcing EDBP.com, a New Website of Best Practices For Attorneys – http://bit.ly/QFkr1M (Ralph Losey)
• DHS Privacy Policy for Operational Use of Social Media – http://bit.ly/PFDTZi (Sabrina Pacifici)
• Notable Cases and Events in eDiscovery (October 2012) PDF – http://bit.ly/PJTJlG (Sidley Austin)

Sight and Sound


Technology and Tactics

• Big Data Squeezes Legacy IT Spending: IDC – http://bit.ly/Prh7nQ (Kevin Fogarty)
• California Moves to Protect Privacy of Social Media Accounts – [http://bit.ly/U28GWn](Michael Epshteyn)
• Defending Big Data – [http://bit.ly/Ovp4g2](Monica Bay)
• HBR Consulting Survey Shows Law Department Spending Is Up – [http://bit.ly/QNXdXg](Monica Bay)
• Hong Kong Privacy Commissioner Publishes Revised Guidance on Collection of Fingerprints – [http://bit.ly/QuAKhS](Gabriela Kennedy)
• Lawyers Slow To Warm Up To The Cloud – [http://bit.ly/PO4oMe](IT-Lex)
• Lessons For Every Company From the TYCO FCPA Settlement – Export Compliance Matters [http://bit.ly/PO64VT](Doreen Edelman)
• Right To Be Forgotten and Data Security – [http://bit.ly/QuBaos](Winston Maxwell)
• State Tort and CFAA Claims Survive Motion to Dismiss In Ohio Employee Cyberhacking Case – [http://bit.ly/U6lxH6](Brian Hall)
• Third-Party Intermediaries: Managing Global Corruption Risk - [http://bit.ly/PFDG8i](Marc Miller)
• Tyco to Pay $26 Million to Resolve FCPA Allegations – [http://on.wsj.com/QeNNnl](C.M. Matthews)
• What Is A New gTLD And Why You Should Care: A gTLD Primer For Brand Owners – [http://bit.ly/PFDzK2](Andrea Calvaruso, Nancy Lutz)

**Vendor Views**

**Industry Landscape**

• ACC 2012 Annual Meeting – Meet Orange Legal Technologies (Booth 422) – [http://bit.ly/P5wXnY](OrangeLT)
• AccessData Releases Summation 4.1 and AD eDiscovery 4.0 – [http://bit.ly/PvmGBO](Business Wire)
• Applied Discovery Showcases Predictive Coding at ACC Annual Meeting – [http://mwne.ws/QFJUVJ](Marketwire)
• CDS Legal Appoints Nicole Gable as Director of Business Development for the Chicago Office – [http://on.mktw.net/QsbbG](Press Release)
EnCase eDiscovery v5 Empowers Legal Departments with Comprehensive eDiscovery Process Oversight – http://yhoo.it/U1RPD8 (Business Wire)


Exterro Expands Integrations With Enterprise IT Systems to Unify Management of eDiscovery – http://on.mktw.net/PGdNoZ (Marketwire)


KPMG Announces Discovery Radar® Updates With Enhanced Concept Clustering, Filtering And Review – http://prn.to/QuxFyh (PR Newswire)


Kroll Ontrack Study Reveals Nearly 50% Organizations Experienced E-Mail and Doc Data Loss in Past Year http://bit.ly/QmvfSg (Business Wire)


“Redact This” – New Tool For Reliable Redaction (Fios) – http://bit.ly/PvlUoa (Don Whitehead, Samantha Green)


RenewData Appoints Tom Shambo as Senior Vice President and Rich Cohen as Vice Chairman – http://bit.ly/PH9afLr (Press Release)


September 26, 2012

eDiscovery News
Content and Considerations

• A New Approach to eDiscovery Dispute Resolution - http://bit.ly/P0Kehy (Richard Herrmann, Vincent Poppiti, Kevin Brady)
• Are Social Media Posts Discoverable? http://bit.ly/Q1JmME (Bruce Raymond)
• Changes Coming in the Litigation and eDisclosure Landscape - http://bit.ly/PfIL76 (Chris Dale)
• Court Shifts Costs to Putative Class Action Plaintiffs Prior to Class Certification – http://bit.ly/PT6r40 (Daryn Rush)
• Criminal eDiscovery: 21st Century Paperless Trails (Part 5 of 5) http://bit.ly/Pk7zLm (Daniel Garrie)
• Curtail Rising eDiscovery Costs With Predictive Coding - http://bit.ly/P0JZD8 (Peter Buckley)
• Daubert Safeguards “Not as Essential” in Bench Trial – http://bit.ly/Pjh5hG (Gregory Joseph)
• Discoverability of Social Media: Two Similar Cases Reach Opposite Results – http://bit.ly/PYdyZd (Bob Ambrogi)
• DPP’s Guidance on Social Media Prosecutions - http://bit.ly/P2Rqd6 (Keir Starmer)
• Electronic Discovery in International Arbitration – Revisited (PDF) http://bit.ly/SNDSSp (Julie Bedard, Jonathan Frank)
• eLessons Learned Talks Cybersecurity with ABA President Laurel Bellows - http://bit.ly/Pdjpwt (Chris Borchert)
• Foreign Nationals Seeking Facebook Information - http://bit.ly/PfWx9P (Josh Gilliland)
• GCs Must Consider the Obligation to Preserve Electronic Documents Maintained by Third Parties – http://bit.ly/PXO9Pl (Martin O’Hara)
• LEDES Adds Activity and Expense Codes for eDiscovery – http://bit.ly/P0lepH (Evan Koblenz)
• Making Keywords Work Smarter - http://bit.ly/P5B3wk (Jeff Fehrman)
• Proper Wildcard Searching: Why You Should Give a Dam* – http://bit.ly/Pjc34V (Doug Austin)
• Reasonable Particularity And Social Network eDiscovery - http://bit.ly/P0Kqxr (IT-Lex)
• State Judge Imposes $300K Sanction On County For Hiding Emails In Police Brutality Case - http://bit.ly/P5Fc1L (Robert Hilson)
• The World of eDiscovery is Expanding to Automobiles - http://bit.ly/P6GYRM (eLessons Learned)
• U.S. Judge Finds Rambus Destroyed Evidence in Hynix Case - http://reut.rs/QdyJGF (Michael Erman)

Reports and Resources

• NIST Comprehensive Risk Assessment Guidance for Federal Information Systems Published – http://1.usa.gov/QlpzrC (NIST)
• The 41-Year History of Email - http://on.mash.to/QKhhXR (BrandSpeak)
• The State of Social Media at Work In One Quick Infographic - http://onforb.es/PWVRcd (Mark Fidelman)

Sight and Sound

• IQPC 2012: Using Proportionality to Reduce Costs and Abuses - http://slidesha.re/P6HD5J (Alex Ponce de Leon)

Technology and Tactics

• 3 Steps for Compliance With the SEC’s Conflict Minerals Rule – http://bit.ly/P5E8g3 (Alexandra Wrange)
• DOJ Is Prosecuting Customs Fraud Through Sarbanes-Oxley’s Obstruction of Justice Statute - http://bit.ly/PeZEPl (Michael Coursey)
• Employer Social Media Policies, Cyber Security and Other Web Notes - http://bit.ly/PgeNA5 (Kevin LaCroix)
• Facebook Users Convinced Years-Old Private Messages Are Being Published On Timelines (But They’re Wrong) http://onforb.es/Ph8yfd (Kashmir Hill)
• Former Chief Of DOJ Fraud Unit Discusses Healthcare And FCPA Enforcement - http://bit.ly/Qcv4ZD (Hank Bond Walther)


Iran Announces Plan To Launch Domestic Internet By March 2013 (And To Block Google Today) – [http://tcn.ch/Ocetas2](http://tcn.ch/Ocetas2) (Anthony Ha)


NLRB Invalidates Costco’s Social Media Policy - [http://bit.ly/P5U2a3](http://bit.ly/P5U2a3) (Hunton Williams)


Twitter CEO: Soon, You Can Download All Your Tweets | CNET News - [http://cnet.co/Q6HzWE](http://cnet.co/Q6HzWE) (Daniel Terdiman)

**Vendor Views**

**Industry Landscape**

- Exterro Fusion(R) eDiscovery Software Platform Named as Trend-Setting Product for 2012 by KMWorld – [http://mwne.ws/PX8CDD](http://mwne.ws/PX8CDD) (Marketwire)
• Guidance Software Celebrates 50,000 EnCase® Students - http://yhoo.it/P2IXqm (Business Wire)
• Informative Graphics Announces Brava Enterprise HTML5 Viewer - http://mwne.ws/QhTDH (PR Web)
• Integreon Strengthens Legal Discovery Services Team with Appointment of Three Industry Veterans – http://bit.ly/PkS8m4 (PR Web)
• Iron Mountain Launches Unified Solution for Managing Paper and Digital Files Leveraging SharePoint – http://yhoo.it/P21Dbc (Business Wire)
• Ji2 Adds Business Development Manager - http://prn.to/PkRepF (PR Newswire)
• KrollOntrack Improves Ontrack Inview, with Greater Search and Load File Speed, and More TAR Options – http://bit.ly/Pkg60V (PR Web)
• Meet the Crain’s Chicago Business Tech 50 (kCura) http://bit.ly/Pick82 (Steve Hendershot, Jason McGregor)
• New Zealand Law Firm Seeks Firmwide Technology Solution, Partners with Thomson Reuters Elite – http://bit.ly/QhF1sF (@LegalIT)
• Open-Source eDiscovery Foundation Emerging - http://bit.ly/Qf0VZD (Evan Koblentz)
• OpenText Named a Leader in Multichannel Capture by Independent Research Firm - http://on.mktw.net/PXdhpj (PR Newswire)
• Proofpoint Announces Targeted, Content Collection Solution (Extends eDiscovery / Legal Hold) http://bit.ly/Qh8XRW (Press Release)
• SFL Data Achieves Relativity Best in Service Recognition for Technical, Customer Service Expertise - http://yhoo.it/QcTP7r (PR Web)
• Thomson Reuters Adds PDF Output to E-Transcript Manager – http://bit.ly/Q19pni (Evan Koblentz)
• What’s New with Summation – (Video) http://bit.ly/Qh8HCh (Access Data)
• ZL Announces API to Tap Into Unstructured Big Data - http://mwne.ws/P6qobY (Marketwire)

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eDiscovery News
Content and Considerations
• Actos Litigation Uses Predictive Coding Technology to Sort Documents [http://bit.ly/NzwTQ9](Linda Grayling)
• Between A Rock and Hard Place: Twitter’s Back Now Against The Wall In Harris Case - [http://bit.ly/Nxv8SE](Paul Saso)
• BYOD: Opening a Can of Worms for eDiscovery - [http://bit.ly/Q7ZOJ](Linda Sharp)
• California Electronic Discovery Act: Part Two - [http://bit.ly/Oihp03](Peter Bauman)
• Case Summary; Nat’l Day Laborer Org; 2nd Cir.; Adequacy of Searches under FOIA – [http://bit.ly/OXHt0w](Roland Bernier)
• Compliance with Electronic Discovery Requirements Is Crucial - [http://bit.ly/NzyhIH](Dannis Woliver Kelley)
• Courts Set the Bar for Social Media Discovery - [http://bit.ly/NyfQ0B](Jason Krause)
• Corporate Counsel Question the eDiscovery Competence of their Outside Firms - [http://bit.ly/Nozp8S](Bob Ambrogi)
• Craig Ball on Special Masters in eDiscovery - [http://bit.ly/QfMvRS](Sharon Nelson)
• Data Center Woes Spur eDiscovery Growth - [http://bit.ly/Nzy41S](Stephanie Hoffman)
• Do You Really Meet And Confer? [http://bit.ly/QgGxo4](RVM)
• eDiscovery: 2nd Circuit Creates Some Breathing Room on Litigation Holds - [http://bit.ly/QriBTn](David Reif)
• eDiscovery Best Practices: Quality Control, Making sure the Numbers Add Up – [http://bit.ly/T0uEav](Doug Austin)
• eDiscovery Best Practices: Quality Control, It’s a Numbers Game - [http://bit.ly/QfmiAht](Doug Austin)
• eMails Costly to Samsung in Apple’s $1 Billion Jury Verdict - [http://bit.ly/QLzRAw](Peter Vogel)
• Forensically Examining A Lawyer’s Computer - [http://bit.ly/Q2BPdw](Josh Gilliland)
• Google’s Failed Privilege Screen - [http://bit.ly/Q7YJA9](Sanjay Manocha)
• Judge Scheindlin Sets Legal Precedent for eDiscovery Under FOIA - [http://bit.ly/Svhp9a](Anna Biblowitz)
• How to Proactively Control discovery Costs - [http://bit.ly/NxCPtp](Patrick Gaas, Tiffany Harrod)
• Identifying Key Players in the Enterprise eDiscovery Buying Cycle - [http://bit.ly/Qr6RMp](Charles Skamser)
• Implications of Appointing Electronic Discovery Special Masters - [http://bit.ly/NARAMA](RVM)
• Inadvertent Production Results in Waiver of Attorney-Client Privilege as to 347 Email Pages - [http://bit.ly/Shv1rT](K&L Gates)
• Issues and Struggles: Three Recent Social Media and eDiscovery Related Cases - [http://bit.ly/Ntze5b](Venkat Balasubramani)
• IT Plays An Ascending Role in eDiscovery - [http://bit.ly/QigFlt](Caron Carlson)
• Knowing eDiscovery Rules Saves Doctors Time and Money - [http://bit.ly/Qflq5y](Alicia Gallegos)
• Lesson of the Day: Discretion is the Better Part of eDiscovery - [http://bit.ly/Q7UEvQ](Gerard Britton)
• Search Terms for Audio: Iterate Your Way to Success | AudioDiscovery - http://bit.ly/NrRiXg (Jeff Schlueter)
• Signs Of Information Governance Maturity? http://bit.ly/NxsiOj (Barry Murphy)
• Social Media – It’s Sort of Discoverable, Right? http://bit.ly/O3mYPY (Dennis Kiker)
• Twitter Deserves Continuing Credit for Defending Privacy in Harris v. N.Y. http://bit.ly/Nxatyl (Eric Johnson)
• Under the Bonnet of Control Risks eDiscovery Engine - http://bit.ly/Nx8Xgh (Joanna Goodman)
• “We are in the World of eDiscovery 2.0… Now What?” http://bit.ly/OXF13u (Cat Casey)

Reports and Resources

• Intermountain eDiscovery Conference Speaker Notes – Consolidated (From “Craig To Craigslist”) - http://bit.ly/QfLe1g (@OrangeLT)

Sight and Sound

• Case in Point for Monday, September 17th, “Trial by Fire” http://bit.ly/QfEUH5 (Tom Fishburne)
• eDiscovery Review Strategies - http://bit.ly/QgGf0g (Josh Gilliland)

Technology and Tactics

• Are Your Users Afraid of Cloud-Based Email? http://bit.ly/Q2nCNv (Jeff Orloff)
• Global Survey Reveals Why NGOs Are Moving IT to the Cloud - http://bit.ly/NrPGg1 (Business Wire)
• Goodbye (Microsoft) Forefront, It Was Nice Knowing You - http://bit.ly/Nzup4j (Hal Berenson)
• In Microsoft’s New Browser, the Privacy Light Is Already On - http://nyti.ms/NxbZRF (Natasha Singer)
• Interesting Social Media Site - http://bit.ly/Q6bzic | Social Networking Privacy Experiment (David Horrigan)
• NLRB Publishes First Social Media Decision – http://bit.ly/OZ5iTQ (Ashley Post)
• Virtualization, Deduplication, And Rat Brains? http://bit.ly/NzxctQ (Kevin Fogarty)
• What’s the Deal the New 6 Strike Copyright Alert System? http://bit.ly/PSrHXQ (Peter Vogel)
• When the Tortoise Beats the Hare: Insider Fraud! http://bit.ly/Qik4XF (Russell Miller)

Vendor Views
Industry Landscape

• AccessData Releases Mobile Phone Examiner Plus 5.0 - http://yhoo.it/Q7Zc5e (Business Wire)
• Applied Discovery to Deliver Legal Hold Services - http://mwne.ws/Nzxq4W (Marketwire)
• Belkasoft Releases v.5.0 Featuring Blackberry Backup Analysis – http://bit.ly/OZ5Tqg (Announcement)
• Catalyst Honors Asia eDiscovery Specialist Jii as ‘Summit Partner’ - http://yhoo.it/Q7ZiTN (PR Newswire)
• eDiscovery Industry M&A Activities Over The Past 10 Years - http://bit.ly/O3CgbL (Brad Jenkins)
• eDiscovery Trade Shows – What Do We Really Learn? http://bit.ly/QgJYLi (David Speringo)
• Firmex Announces Major Product Upgrade Set to Redefine Virtual Data Room Expectations – http://bit.ly/PzeCkb (PR Web)
Guidance Software, EMC unit to Collaborate on Cyber Security Offerings – http://yhoo.it/OZ901B (Yahoo Finance!)
iDiscovery Solutions Offers New In-House Educational Programs on e-Discovery and Data Management – http://bit.ly/T0x8a0 (Press Release)
KrollOntrack Develops Granular Restore Capabilities for IBM Tivoli Storage Manager (TSM) - http://bit.ly/QgFEvL (Business Wire)
Mark Michels Joins Deloitte Financial Advisory Services - http://bit.ly/PleDQg (Monica Bay)
Never Forget Where You Came From (And What You Sat On) http://bit.ly/Qt6iSY (David Zax)
Passware Makes Windows Computers Accessible to Law Enforcement Exposing Login Passwords in Minutes – http://yhoo.it/QipuSn (PR Newswire)
Peak Forensics, LLC Announces Grand Opening In Phoenix, Arizona - http://pm.to/QEPqdu (PR Newswire)
Recommind’s Enterprise Roots - http://bit.ly/QgZiHK (Christine Taylor)

September 12, 2012

eDiscovery News
Content and Considerations

• No Difference in Discoverability of Communications through Email, Texts, or Social Media – [http://bit.ly/NfSX1R](http://bit.ly/NfSX1R) (K&L Gates)
• Big Data for Education: Data Mining, Data Analytics, and Web Dashboards (PDF) http://bit.ly/PHZPC0 (Darrell West)
• Digital Forensics XML and Standardization – http://bit.ly/NkSaDW (Kam Woods)
• Privacy Resources and Sites on the Internet – http://bit.ly/SaU0wW (Marcus Zillman)
• The Rear View Mirror on Google+: 5 Top Stories From Last Week’s Unfiltered Orange eDiscovery Newsletter – http://bit.ly/NkoD6o (@OrangeLT)

Sight and Sound

• Case in Point: “E-Discovery Trophy Room” http://bit.ly/NkqTK1 (Tom Fishburne)

Technology and Tactics

• A Two-Tiered Governance Structure for Records and Information Management (RIM) – Including ERM – http://bit.ly/Nm7gC9 (Susan Goodman)
• “BYOD (Bring Your Own Device) – Sample Policies” http://bit.ly/QEOohC (Peter Vogel)
• California Becomes First State to Take a More Balanced Approach to Social Media “Password Protection” – http://bit.ly/PJWblj (Philip Gordon)
• Copyright – Customs and Border Protection – Lego v Best-Lock – http://bit.ly/POiNaq (Sue Ross)
• Cyberlockers, File-Sharing, and Infringement in the Cloud – http://bit.ly/QEQ0b6 (Richard Raysman, Peter Brown)
• Data-Driven Discovery Is Tech’s New Wave – http://nyti.ms/PXdyFF (Steve Lohr)
• How To Handle A Data Breach: 5 Tips For SMBs – http://bit.ly/NeiZ5J (Kevin Casey)
More Frequent and Elaborate RFPs a Challenge for Outside Counsel – http://bit.ly/PZ4dgs (Shannon Green)
Suggestion for the ABA Blawg 100: Recognize eDiscovery Blogs – http://bit.ly/NcYBC1 (Bob Ambrogi)
Twitter Is Given a Deadline to Avoid Contempt Finding – http://bit.ly/SaZyHU (Christine Simmons)

Vendor Views
Industry Landscape

- Complete Discovery Source Named Number One E-Discovery Provider by New York Law Journal Survey – http://yhoo.it/NkEh1D (Press Release)
- FCPA Survey by FTI Consulting Showcases Growing Data Privacy Challenge – http://yhoo.it/Nef3BP (PR Newswire)
- Improved Mobile Phone Extraction and Collection – AccessData – http://bit.ly/NfUI4A (Sean Doherty)
Mitratach’s Clients Save Millions Using Matter Management and E-Billing Solutions – http://yhoo.it/PJh1YN (Marketwire)


Redgrave LLP Congratulates Ken Prine As He Moves To New Position As Discovery Counsel At BP America – http://yhoo.it/P788Zx (PR Newswire)

RSD Announces Offer to Replace HP’s Autonomy – http://yhoo.it/Nd7ADh (PR Web)


VPI Selects Autonomy Corp to Deliver Advanced Speech and Multichannel Analytics – http://prn.to/NeqUjp (PR Newswire)

September 5, 2012

eDiscovery News

Content and Considerations

- Applying Attorney-Client Privilege to Email Strings – http://bit.ly/Ttisej (Andrew DeFalco)
- Courts Have to Be Careful In Applying Fiduciary Exception to Attorney-Client Discovery Privilege – http://bit.ly/Q0TzYV (Catherine Kiernan)
- EDD Update: Resistance is Not Futile – http://bit.ly/Q7Vkn0 (Ralph Losey)
- E-Discovery Rule Amendments Adopted by Florida Supreme Court – http://bit.ly/QifYkB (Lawrence Kolin)
- eDiscovery Case Law: Citing Rule 26(g), Court Orders Plaintiff’s Counsel to Disclose Search Strategy – http://bit.ly/PUmDPJ (Doug Austin)
• No Differences in Discoverability Between Social Media & Email – http://bit.ly/Q1cmRM (Josh Gilliland)
• The Next Big Predictive Coding Case that Wasn’t – http://bit.ly/Oxs5bA (Bob Ambrogi)
• Top Predictive Coding Concerns: Part 2 – It’s Not Well Suited for “Needle in Haystack” Investigations – http://bit.ly/PtSQgo (Bill Tolson)
• Understand Predictive Coding Options – http://bit.ly/Qgl7th (Joshua Fuchs, Benjamin Wolinsky)
• Why De-NISTing is Just Plain Silly – http://bit.ly/N36KJb (Eric Robi)

Reports and Resources


Sight and Sound

• ILTA 2012: Session Presentations And Interviews (Recordings and Downloads) http://bit.ly/N37QV8 (ILTA)

Technology and Tactics

• Analysis of Recent Developments in German Law Concerning Employer E-Mail Monitoring – http://bit.ly/TVuY6v (Hogan Lovells)
• Apple Legal Bill – How Much Does It Cost To Win $1 Billion From Samsung? http://bit.ly/N39gPB (Chris Smith)
• Are We Missing The Big Picture With Big Data? http://aol.it/N386nb (Mark Weber)
• California: First State to Pass Comprehensive Social Media Privacy Legislation – http://bit.ly/Pudg94 (Bradley Shear)

Email Security Terms Your Users Need to Know – http://bit.ly/Q1FqDm (Jeff Orloff)

E-mail Spoofing: A Cautionary Tale – http://bit.ly/N1uUDY (Deborah Spellen)


Google Plus Goes to the Office – http://nyti.ms/TvpUFL (Quentin Hardy)

Hackers Claim to Have 12 Million Apple Device Records – http://nyti.ms/NckCRq (Nicole Perlroth)


If It’s Not Copying, It’s Not Copyright Infringement – http://bit.ly/R1ysrJ (David Kluft)


NLRB Rules on Keeping Employees From Discussing HR Investigations – http://bit.ly/TVvWQa (Catherine Dunn)


Twitter Challenges Court Orders – http://bit.ly/PtSmqA (Peter Vogel)

Virginia Turns to the Cloud for its Hosted E-Mail Archive – http://bit.ly/TVnhxd (Hilton Collins)

Why Corporate Strategy Needs to Change with the Cloud — http://bit.ly/TVo0P0 (Prabhakar Gopalan)

**Vendor Views**

**Industry Landscape**

- AccessData Group Appoints Chad Gailey as Vice President of US Channel Sales – http://prn.to/N1imwh (PR Newswire)
- eTERA Consulting Announces the Appointment of Mike Chagnon as Director of Channel Engagements – http://bit.ly/PHYmvS (PR Web)
• Linda Hood Joins iCONECT as Vice President of Business Development [http://bit.ly/N1hUOt](PR Web)
• OpenText Steps Up Legal Tempo – [http://bit.ly/QieeHR](Image & Data Manager)
• Quest Announces Dells Takeover – [http://bit.ly/QiCnhz](Edie Marie)
• Relativity Named a Trend-Setting Product of 2012 by KMWorld – [http://yhoo.it/QieuXr](Press Release)
• The Recorder: California’s Best Service Providers (PDF) [http://bit.ly/NBoMDR](ALM)

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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)
• 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)
• Courts Have to Be Careful In Applying Fiduciary Exception to Attorney-Client Discovery Privilege – [http://bit.ly/Q0TzYV](Catherine Kiernan)
• Cowen Group Forecasts Surge in Managed Services at Law Firms – [http://bit.ly/TnkJYs](Monica Bay)
• “Did We Really Send that File to Opposing Counsel?” [http://bit.ly/PbLnIY](Justin Blessing)
• 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 Kleen Products Litigation, Parties Stipulate that Predictive Coding is Not Required At This Time – http://bit.ly/TqrbdM (K&L Gates)
• Judge Doherty’s Order Gives Guidelines for eDiscovery and TAR – http://bit.ly/Phe4xO (BLLAWG)
• Judge Scheindlin Sends Federal Agencies a “Message” About Their eDiscovery Obligations Under FOIA – http://bit.ly/PNwXe9 (Cullen and Dykes)
• Kleen Products LLC Withdraws Request to Redo Production – http://bit.ly/SZHmSD (Bill Tolson)
• No Legal Duty or Business Reason to Boil the Ocean for eDiscovery Preservation – http://bit.ly/PeGcyH (John Patzakis)
• 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/Pd6u7 (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/MMv7ae (Amber Scorah)

Reports and Resources

• August Edition of Notable Cases and Events in eDiscovery (PDF) http://bit.ly/MVbBfK (Sidley Austin)
• “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**


**Technology and Tactics**

- When Chief Executives Share Company News on Facebook - [http://nyti.ms/TtfZ3F](http://nyti.ms/TtfZ3F) (Nick Wingfield)
Vendor Views
Industry Landscape

- Bridgeway Enhances Attorney Productivity with eCounsel Version 8.6 and New Bridgeway Email Link Solution -http://bit.ly/O0RnQV (@LegalIT)
- Complete Discovery Source Launches Cloud-Based eDiscovery Review Platform, Nytrix – http://nbcnews.to/PmMf7e (Press Release)
- Enhancements to Exterro Fusion(R) Platform Deliver Greater Control Over eDiscovery – http://on.mktw.net/ThMxgR (Marketwire)
- Gartner Includes ZyLAB in both Hype Cycle for GRC Technology and Hype Cycle for Content Management – http://bit.ly/Plx2xK (Press Release)
- Going to ILTA? Test Drive Insight, the Next Generation of eDiscovery – http://bit.ly/PhebkD (Announcement)
- kCura to Showcase Relativity Assisted Review and Ecosystem at ILTA – http://on.mktw.net/ThlwZU (MarketWatch)
- 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://v.hoo.it/Q1b6jv (PR Web)
Recommind Launches ‘Axcelerate Unlimited’ for Rock-Solid Certainty in eDiscovery Costs – [http://yhoo.it/MVxco4](http://yhoo.it/MVxco4) (Marketwire)
RenewData Launches Language-Based Analytics as Transparent, Auditable Alternative for TAR – [http://on.mktw.net/MOFfmt](http://on.mktw.net/MOFfmt) (Business Wire)

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Content and Considerations

- All Answers Remain the Same: Resolving Discovery Disputes - [http://bit.ly/PbwTT0](http://bit.ly/PbwTT0) (Katherine Gallo)
- eDiscovery Evolved: Smart Searching - [http://bit.ly/P0RoSr](http://bit.ly/P0RoSr) (Wayne Wong)


NY Court Likens Tweeting to “Screaming Out Window” and Denies Twitter’s Motion to Quash in Harris – [http://bit.ly/N5nEE9](http://bit.ly/N5nEE9) (Gibbons)


The Do’s and Don’t’s of “Spying” On Your Spouse During A Divorce Proceeding – eLessons Learned


**Apple v. Samsung: Special Backgrounder Compilation of Selected Stories**


Samsung Sought to Beat IPhone With Galaxy Nexus, Apple Says - [http://bloom.bg/PAdLk2](http://bloom.bg/PAdLk2) (Susan Decker)

Apple-Samsung Jury: Verdict Form May Blow Your Minds - [http://cnet.co/PzPHOk](http://cnet.co/PzPHOk) (Josh Lowensohn)


Apple v. Samsung Turns Into ‘He Said, She Said’ on the Final Day of Testimony - [http://vrge.co/PvXywm](http://vrge.co/PvXywm) (Bryan Bishop)


• Samsung’s Case That It Didn’t Copy the iPhone and iPad—In Pictures - [http://bit.ly/OsHtU2](http://bit.ly/OsHtU2) (Jon Brodkin)
• Samsung Drops After Resting Case in Apple Patent Dispute – Bloomberg [http://bloom.bg/Rn6vXY](http://bloom.bg/Rn6vXY) (Saeromi Shin, Jun Yang)
• Samsung E-Mails Show Google Asked Devices Not Mimic Apple – Businessweek - [http://buswk.co/N2Y9Hz](http://buswk.co/N2Y9Hz) (Joel Rosenblatt)
• Samsung Designer Says Galaxy Tab 10.1 Work Preceded iPad Announcement – [http://dthin.gs/PpUy2u](http://dthin.gs/PpUy2u) (Ina Fried)
• Judge Urges Apple and Samsung to Settle Ahead of Verdict | Reuters – [http://reut.rs/PpRzqO](http://reut.rs/PpRzqO) (Dan Levine)

**Reports and Resources**

• Thriving in a BYOD World (PDF) [http://bit.ly/R8BWHg](http://bit.ly/R8BWHg) (Eric Shuster, Alex Kalamarides)

**Sight and Sound**

• Initial Disclosures Pursuant to Federal Rule of Civil Procedure Rule 26(a) (Video) - [http://bit.ly/PyBiC0](http://bit.ly/PyBiC0) (Josh Gilliland)

**Technology and Tactics**

• Boundary: Keeping Cloud Software in Shape - [http://nyti.ms/N2nQrQ](http://nyti.ms/N2nQrQ) (Quentin Hardy)
• Common Roadblocks to Email Security - [http://bit.ly/N2p0DE](http://bit.ly/N2p0DE) (Jeff Orloff)
• Cybersecurity Becoming No. 1 Concern for GCs and Directors - http://bit.ly/PoKu9T (Catherine Dunn)
• Deleting Emails Actually Costs Resources - http://bit.ly/N2shTn (Kayla Krause)
• Does the End Justify the Means? Not if Means are Website Postings Encouraging Imminent Lawless Activity – http://bit.ly/N591EZ (Mark Keddis)
• Potential Perils of Posting Pictures (on Social Media) - http://bit.ly/N2q8Hk (Timothy Greene, Debbie Rosenbaum)
• Records Management Is For Everyone - http://bit.ly/PpRZ0u (Dennis Kiker)
• Should the Pentagon Defend Non-Military Networks? http://bit.ly/Pr8Tfd (Peter Vogel)
• Twitter Reveals Personal Data To PoliceLinked To Mass Threats - http://bit.ly/RjYyXR (Robert Hilson)
• UK Man Gets Four Years For Linking To Copyrighted Video - http://bit.ly/Pr8vcj (IT-Lex)
• Verify U.S. Federal Government Social Media Accounts - http://1.usa.gov/N4ZVrH (USA.Gov)
• Website Audits are the New Compliance Frontier - http://bit.ly/N2ssyf (Adam Bialek, Juan Rodriguez)

Vendor Views

Industry Landscape

• Amazon Web Services Announces Amazon Glacier: Cheap Cloud Storage For Archives And Backups – http://tcm.ch/MIVfq4 (Steve O’Hear)
• Apersee to Launch New Enhancements - http://bit.ly/Pbp7Zm (Tom Gelbmann)
• Australia: Freehills Courts Cloud Prior to Merger - http://bit.ly/PyPS0t (Computerworld)
• Catalyst Opens Third U.S. Data Center to Power Insight(TM) eDiscovery Platform - http://mwne.ws/MK8FlK (Marketwire)
• Equivio Adds Clustering to its eDiscovery Analytics Suite - http://bit.ly/PyWIyJ (@LegalIT)
First Advantage: “Seek and You Shall Find” Applies As Much To Your Provider As To Your Data – http://bit.ly/MWYnC8 (Chris Dale)
H5 Partners With Nuix to Process Complex Data Sets at Blazing Speeds - http://mwne.ws/PbwgsF (Marketwire)
IPRO Adds Visual Culling in Allegro 3.2 - http://yhoo.it/N3iUmw (Marketwire)
PWC Forensic Services Adds Four Experts - http://pwc.to/PyLGtr (Press Releases)
Recommind Appoints Former Oracle CFO Jeff Epstein to Board of Directors - http://mwne.ws/PoYsc3 (Marketwire)
The End Of Postini? Email Security Tool Now More Tightly Fit With Google Apps - http://crn.ch/N0W2nP (Alex Williams)

August 15, 2012

eDiscovery News
Content and Considerations

How to Get Court Approval for Predictive Coding - http://bit.ly/MYnJK (Peter Buckley, Scott Vernick)
Judge in Google, Oracle Case Seeks Names of Paid Reporters, Bloggers - http://reut.rs/MxrJEV (Alexei Oreskovic)
No Hard Drives Were Harmed in the Making of this Picture - http://bit.ly/P9Kx9y (Craig Ball)
Notes from Carmel (er, Monterey) – Delaware eDiscovery Report - http://bit.ly/MBtHEg (Christopher Spirizzirri)
Nova Scotia Court Says Parties Should Share Search Parameters – All About Information - http://bit.ly/OW8rFg (Hicks Morley)
Survey: Judges Are Less Freaked Out By Facebook, Twitter – http://on.wsj.com/MDPmvv (Joe Palazzolo)
They Can’t Withhold It If You Can’t Prove It Exists - http://bit.ly/PoKfUj (IT-LexOrg)
• When Lawyers Investigate Jurors ( Electronically) http://bit.ly/MZYM9u (Joel Cohen)
• Work-Product Doctrine Applicable to Documents Relating to Tax Shelter Transaction - http://bit.ly/PePgXr (CCH Group)

Apple v. Samsung: Special Backgrounder Compilation of Selected Stories
• Samsung Takes On Apple Over Value Of Phone Features - http://bit.ly/PiCN5d (Dan Levine)

Reports and Resources
• Why Appointment of Special Masters in eDiscovery Disputes is Vital to Civil Justice Progress (PDF) http://bit.ly/P4EcOG (Zachary Parkins)

Sight and Sound
• Case in Point for Monday, August 13th, 2012: “Motion to Compel” - http://bit.ly/PdDno (Tom Fishburne)
• Form of Production in eDiscovery - http://bit.ly/PeTDSm (Josh Gilliland)
• When Twitter & Facebook Have to Turn Your Data Over to Law Enforcement – http://bit.ly/PkrxoU (Hayes Hunt)

Technology and Tactics
• Accounting Consultancy: The Top 50 +50 - http://bit.ly/MWCuAN (Richard Crump)
• Cloud Services Increase Danger to Enterprise Data - http://bit.ly/OW8UqM (Stephen Lawton)
• Court Holds that VPPA Applies to Online Streaming Video - http://bit.ly/PnQIXH (Steve Satterfield)
- “DOJ: Want To Make Sure We Can’t Access Your Private Data? Buy An iPhone – [http://yhoo.it/OW7a0W](http://yhoo.it/OW7a0W) (Zack Epstein)
- How Big Data Became So Big – [http://nyti.ms/PcNu9q](http://nyti.ms/PcNu9q) (Steve Lohr)
- New Privacy Concerns? Gmail Integrates with Google Search - [http://bit.ly/MG7k0y](http://bit.ly/MG7k0y) (Peter Vogel)
- New Google Tools to Make the Search Engine More All-Knowing - [http://nyti.ms/MBshd4](http://nyti.ms/MBshd4) (Claire Cain Miller)

**Vendor Views**

**Industry Landscape**

- Autonomy Data Protection Solution Passes 10,000 Customer Milestone - [http://prn.to/OW8Fw1](http://prn.to/OW8Fw1) (PR Newswire)
- C2C Meets Expanding Email Data Management Requirements With ArchiveOne 6.5 - [http://yhoo.it/MWvQpu](http://yhoo.it/MWvQpu) (Marketwire)
• Daegis Streamlines eDiscovery for Lotus Notes at Faegre Baker Daniels - http://yhoc.it/QUxN6b (Business Wire)
• eDiscovery Experts and Practitioners to Converge at Exterro inFusion12 User Conference – http://mwnce.ws/OmpoSo (Marketwire)
• eLessons Learned Appoints Borchert and Kiernan as Co-Editors in Chief - http://bit.ly/MGKaXH (Frank Gonnello)
• Experience XERA at ILTA 2012 - The Next Era of eDiscovery - http://yhoc.it/OMq4He (PR Web)
• Forensics in the Cloud - http://bit.ly/P2eCrE (Millnet)
• IntraLinks Announces Second Quarter 2012 Results - http://on.mktw.net/ONxfzc (PR Newswire)
• LexisNexis Moving eDiscovery to the Cloud - http://bit.ly/PiAtey (Evan Koblenz)
• LexisNexis Releases Hosted Concordance Evolution – On-Demand Discovery Management Service – http://reut.rs/MTgtD9 (Press Release)
• Merrill Corporation Becomes Relativity Premium Hosting Partner - http://yhoc.it/MXdRUI (Business Wire)
• Recommind Accelerates Pace, Reports 100% Year-Over-Year Revenue Growth in 1H 2012 - http://bit.ly/MZt0xD (Press Release)
• RSD Partners with Hitachi Data Systems to Strengthen Governance Capabilities - http://bit.ly/P2Siho (PR Web)
• The Radicati Group Releases “On-Premises Information Archiving – Market Quadrant 2012” - http://yhoc.it/MIUp5 (Marketwire)
• Thomson Reuters Sells Web Unit of Hubbard One to Division’s Managers - http://bit.ly/MB8OsL (Evan Koblenz)
• Valora Technologies CEO Responds to Craig Ball’s LTN Article “Next Level” TAR - http://bit.ly/MDI1MD (Sandra Serkes)

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eDiscovery News
Content and Considerations

• Are Keywords Obsolete? http://bit.ly/M3xPeJ (RVM)
• Are Proposed Changes to ABA Ethics Rules Too Little, Too Late? http://bit.ly/MoacPj (Michael Arkfeld, Stephanie Loquvam)
• Challenges of Conducting eDiscovery on Ephemeral Data - http://bit.ly/OCkHL1 (Brian Esser, Judy Selby)
• Concept over Keywords – Why Search Still Matters for Law Firms - http://bit.ly/Mh4Hkm (Simon Price)
• CVEDR Take II – Monkeys and Magistrates in Monterey - http://bit.ly/M3NM4u (Greg Buckles)
• Dancer’s Facebook Messages With Opt-In Class Members are Protected Work Product - http://bit.ly/PseX51 (Jennifer Thibodaux)
• Duty of Competence in eDiscovery (PDF) http://bit.ly/RvJhSt (Conor Crowley)
• Facilitating a Forensic Search - http://bit.ly/Mnk63L (Andrew King)
• False Claims Relators Accuse ex-McDermott Client Of Doublespeak In Effort To Recover Privileged Records – http://bit.ly/MnkMpr (Robert Hilson)
• Illinois Bars Employers from Obtaining Current or Prospective Employees’ Social Media Account Credentials – http://bit.ly/OObKtx (Boris Segalis, Nihar Shah)
• Improper Influence over Deposition Errata Sheets – Effecting Substantive Changes to Conform Deposition to Complaint – In Order to Push Meritless Case to Trial Warrants § 1927 Sanctions – http://bit.ly/Mv7gAx (Gregory Joseph)
• Interview with Laura Zubulake of Zubulake's eDiscovery - http://bit.ly/OEOv9w (Doug Austin)
• Keyword Search and Technology-Assisted Review: Judge Scheindlin’s Recent Opinion - http://bit.ly/MrTwwQ (Shelia Mackay)
• Leveraging Low-Cost Resources to Develop eDiscovery Knowledge Workers - http://bit.ly/MIRXdA (Mark Yacano, Cat Casey)
• Preparing and Managing a Budget for eDiscovery - http://bit.ly/Ps9ET6 (George Carby)
• Sticking Head The Sand About Deleted Pertinent Emails Can Lead to Costly Sanctions - http://bit.ly/Mv5W0u (Catherine Kiernan)
• Taking Technology-Assisted Review to the Next Level - http://bit.ly/OLE5Mi (Craig Ball)
• Tangible Examples Of Technology-Assisted Review - http://bit.ly/OI05yW (Barry Murphy)
• The Time Is Now for Organizations to Take a Holistic Approach to eDiscovery - [http://bit.ly/Mnm5Fs](http://bit.ly/Mnm5Fs) (Russ Gould)
• Train, Don’t Cull Using Keywords | Ball in your Court - [http://bit.ly/OCPQxC](http://bit.ly/OCPQxC) (Craig Ball)
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• Samsung, Apple Spar Over Gadgets’ Specs | Reuters - [http://reut.rs/OKmFvC](http://reut.rs/OKmFvC) (Dan Levine, Edwin Chin)
• Australian Patent Dispute: Apple v. Samsung Trial Blows Out To Mid-2013 - [http://zd.net/Ol4i7y](http://zd.net/Ol4i7y) (Josh Taylor)
• Judge Slams Samsung Lawyers – WSJ.com - [http://on.wsj.com/M9RRV0](http://on.wsj.com/M9RRV0) (Ian Sherr)
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• Apple Asks Court to Sanction Samsung – [http://on.wsj.com/OwVqNw](http://on.wsj.com/OwVqNw) (Jessica Vascellaro, Ashby Jones)
• The Method Behind Apple’s Patent Madness – http://rww.to/OD35RW (Dan Rowinski)
• Jurors Hear Competing Claims in iPad Copycat Case – http://bit.ly/ODiV1 (Amy Miller)
• On the Eve of Trial with Apple, Samsung is Dealt Adverse Inference Sanction – http://bit.ly/LZe8MI (Doug Austin)
• Failure to Disable Auto-Delete And Follow Up On Litigation Hold Results in Adverse Inference – http://bit.ly/Oz8IU6 (K&L Gates)
• Once Again, Tech Giant Samsung Handed Sanctions for Failure to Preserve – http://bit.ly/OwVPXB (Mikki Tomlinson)
• Samsung Seeks Relief from Spoliation Sanction, Moves to Sanction Apple for Spoliation - http://bit.ly/OBh0p6 (John Horan)
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• Mobile Phone Problems – Pew Research Center (PDF) http://bit.ly/Q9uLdu (Jan Lauren Boyles, Lee Rainie)
• The Genger Case And The Delaware Supreme Court (PDF) - http://bit.ly/QzdPRm (Vicki Louma, Milton Louma, Penny Herickhoff)

Sight and Sound

Technology and Tactics

- 10 Tips to Keep Social Media in Line With ABA Ethics - [bit.ly/OGQr1h](http://bit.ly/OGQr1h) (Robert Ambrogi)
- Apple Allowed Hackers Access To User’s iCloud Account – @Forbes - [http://onforbes.com/PwFvSK](http://onforbes.com/PwFvSK) (Adrian Kingsley-Hughes)
- Canada May (Finally) Live Up to International IP Standards - [bit.ly/M4MM01](http://bit.ly/M4MM01) (Alan Cohen)
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- Law Firms Turning to Outside Services Provider to Track News, Internet Chatter that Could Affect Clients – [http://wapo.st/OGBBYS](http://wapo.st/OGBBYS) (Catherine Ho)
- Looking For Mutual Enemies In The Cloud - [http://nyti.ms/OBi68r](http://nyti.ms/OBi68r) (Quentin Hardy)
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- Police to Twitter: Hand Over Data of Threatening User - [http://on.mash.to/PODiZaN](http://on.mash.to/PODiZaN) (Alex Fitzpatrick)

Vendor Views

Industry Landscape

• Crossroads Systems Signs $5 Million Deal With IronMountain - http://on.mktw.net/NcHagm (Marketwire)
• Daegis Appoints eDiscovery Sales Veteran Chuck Pindell as Vice President of Sales and Marketing – http://on.mktw.net/OEHaH3 (Business Wire)
• Dr. Stephen V. Rice Joins BeyondRecognition Advisory Board - http://bit.ly/Pry4Ms (Press Release)
• eDJ Group Hires Marilyn Gladden to Guide Media Services for eDiscoveryJournal - http://on.mktw.net/MU3p3G (Marketwire)
• FTI Reports Mix 2Q12 Results - http://bit.ly/OzXlZb (Zacks Equity Research)
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• Intradyn Email Archiving Appliances: In-House and Cloud Email Storage for Small-to-Large Enterprises - http://yahoo.it/OLsTp (PRWeb)
• Iron Mountain Incorporated Announces $950 Million Debt Offering - http://yahoo.it/OIEb0o (Business Wire)
• Jake Flomenberg and Nick Mehta Join Accel Partners as Principal and EIR - http://prn.to/MPlqN (PR Newswire)
• Jay Leib Interviews Bob Price, Principal Engineer at Content Analyst - http://bit.ly/MmuFnK (kCura)
• LexisNexis Opens New Data Center in United Kingdom - http://yahoo.it/MnXmJZ (BusinessWire)
• Microsoft Joins the Electronic Discovery Institute’s Leadership Summit - http://mwnr.ws/OKioD (Marketwire)
• Mitratech Announces Interact 2012 Conference on Legal and Compliance Technology - http://yahoo.it/OJ2hRL (Marketwire)


Reed Smith Picks Enterprise Social Networking Tool to Reduce Email Clutter - http://bit.ly/OYOVdr (Michael Reach)


Servient and DW Legal Announce Strategic Partnership - http://on.mktw.net/Re1Gig (Business Wire)


UK eDiscovery Recruitment Specialist Releases “Bridging the eDiscovery Skills Gap” – http://bit.ly/MnmCqL (@LegalIT)


August 1, 2012

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Da Silva Moore: Defendant Files Opposition to Plaintiffs’ Objection to Denial of Motion for Recusal or Disqualification – http://bit.ly/Q6WTOT (K&L Gates)


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Let’s Ask Dad About the Attorney-Client Privilege - http://bit.ly/LZcbZU (Josh Gilliland)


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Taking Technology-Assisted Review to the Next Level – (Free Registration Required) http://bit.ly/OAfKCF (Craig Ball)


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• Majority of Companies Expanding Cloud Computing Skills: Survey - http://onforb.es/L0vymJ (Joe McKendrick)
• NIST Updates Computer Security Guides - http://bit.ly/OxR0e9 (Patience Wait)
• The Rise of the “Connected Viewer” – Pew Internet (PDF) http://bit.ly/O4FfLB (Aaron Smith, Jan Boyles)

Sight and Sound

• Carmel Valley eDiscovery Judicial Panel on Predictive Coding - http://bit.ly/M0PB28 (Karl Schienenman)
• Case in Point for Monday, July 30th, “Litigation Dismount” http://bit.ly/Oxab80 (Tom Fishburne)
• Handy Infographic on Lawyer Glut, Outsourcing, Other Happy Topics - http://on.wsj.com/M22ZTR (WSJ Law Blog)
• T.J. Johnson Previews ILTA 2012 (Video) - http://bit.ly/M2eavL (Monica Bay)

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• 2012 Olympics Magnify the Importance of Implementing a Social Media Policy - http://bit.ly/QQRBaO (Devin Krugly)
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• Cybersecurity Act Now Pending in U.S. Senate - http://bit.ly/Oy1PNm (Eric Johnson)
• How to Impose Technological Restraints on Criminal Offenders - http://bit.ly/Oza9wm (Art Bowker)
• McKinsey Says Social Media Could Add $1.3 Trillion to the Economy - http://nyti.ms/OruVxR (Quentin Hardy)
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• Social media stats: In-House Counsel’s New Media Use By The Numbers - http://bit.ly/M9ao6s (Ashley Post)
• Startup Floats Cloud Storage for Lawyers - http://bit.ly/LT0ljf (Evan Koblentz)
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• eTERAConsulting Executive Todd Haley Named Adjunct Professor at Georgetown University - http://bit.ly/Oz7AdH (PR Web)
September 25, 2012

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- IntraLinks Announces Date of Earnings Release and Conference Call for 2Q 2012 Financial Results – [http://on.mktw.net/LQyO1T](http://on.mktw.net/LQyO1T) (PR Newswire)
- Leading Analyst Firm Ranks IntraLinks as Lead Vendor in Team Platform and Social Software Suites Category – [http://on.mktw.net/OAn4Or](http://on.mktw.net/OAn4Or) (PR Newswire)
- Oracle Continues Buying Spree - [http://on.wsj.com/Q4RPh](http://on.wsj.com/Q4RPh)v (Melodie Warner)
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July 25, 2012

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• Panel Debunks Predictive Coding Myths - http://bit.ly/PqgR2t (Monica Bay)
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• Predicting Enterprise TAR: Why Smart CIOs and GCs Should Be Talking To Each Other - http://bit.ly/LuWI3x (Gerard Britton)
• Second Circuit Refuses to Find Failure to Issue Litigation Hold Gross Negligence Per Se - http://bit.ly/PnuEyx (Kevin Kelly)
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• The Cowen Group Q3 Kick Off In New York City - http://bit.ly/LHKVcl (Barry Murphy)
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• We’ve Come for Your Tweets: Twitter to Appeal Denial of Motion to Quash District Attorney’s Subpoena – http://bit.ly/PC4Df8 (Alexander Lawrence, Erin Herlihy)
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• DCIG Announces Industry’s First, Most Comprehensive ECA Software Buyer’s Guide - http://bit.ly/Ls3eT7 (Charles Skamser)
• Social Media Archiving and Collection for eDiscovery? http://bit.ly/JCz7fo (@ComplexD)
• Western District of Pennsylvania – Electronic Discovery Special Masters Program – http://1.usa.gov/LJgSBN (EDSM)

Sight and Sound

• 20 Questions about Information Governance in 40 Minutes - http://bit.ly/LD48Rr (Barclay Blair)
• Case in Point for Monday, July 23rd, “TARpit” http://bit.ly/LHzCkW (Tom Fishburne)
• Focus on Privacy: The Facebook Internet Tracking Case - http://bit.ly/LHJcnI (Sharon Nelson, John Simek)
• Video from University of Maine Center for Law and Innovation Program on “Privacy in Practice” http://bit.ly/Oe9nVj (Stephanie Nguyen)

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• 80% of the World’s Data Resides on Tape; Interview with Spectra Logic CEO Nathan Thompson - http://bit.ly/LCc8SQ (Jerome Wendt)
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• Dealing with Malicious Links in Email - http://bit.ly/OaNA0H (Jeff Orloff)
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• Navigating California’s Data Breach Notification Statute - http://bit.ly/LyALjf (Edward Ho, Andres Hurwitz)
• Risks in Big Data Attract Big Law Firms – http://bit.ly/PyHPgi (Monica Bay)
• Smartphone Email Signatures - http://bit.ly/LMkHpY (Beverly Michaelis)
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• Ten Steps To IT Transformation – http://bit.ly/PDXjzr - (Chuck Hollis)
• The Sale of Nicira, Cheaper Clouds and Troubled Cisco - http://nyti.ms/LKvGzQ (Quentin Hardy)
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Vendor Views
Industry Landscape

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• Aderant Unfolds Software Integration Map of Recent Acquisitions – http://bit.ly/LD32Fw (Evan Koblenz)
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• Autonomy Founder Lynch Said to Plan London Technology Fund – http://bloom.bg/PmJRQh (Matthew Campbell, Jacqueline Simmons)
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- 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)
- Ethics Committee Cracks Down on Unauthorized Practice of Law by eDiscovery Vendors - http://bit.ly/MtC7gx (Reed Smith)
- Internet Evidence Not Offered for Truth Sufficiently Authenticated on Summary Judgment by Affidavit – http://bit.ly/Mk0E7D (Gregory Joseph)
• Model Behavior: Federal and State Court Rules on eDiscovery - [http://bit.ly/Mk6eHa](http://bit.ly/Mk6eHa) (Jessica Mederson)
• The Role of Project Managers in eDiscovery - [http://bit.ly/LkJJ3u](http://bit.ly/LkJJ3u) (Mark Yacano, Cat Casey)
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- Microsoft Windows 8 to Ship in Late October - http://bit.ly/0B5oRZ (Evan Koblentz)
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**Vendor Views**

**Industry Landscape**

• 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)
• Complete Discovery Source Receives New Orange-Level Relativity Best In Service Designation – [http://on.mktw.net/Mt7hVt](Press Release)
• Connelly 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)
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• DOJ Sticks With Syngence for Near-Duplicate Clustering - [http://bit.ly/Q1LSmp](Michael Roach)
• Infracapital Selects IntraLinks for Investor Reporting - [http://on.mktw.net/NGRzA9](PR Newswire)
• 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)
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• 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)
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• Court Rules Criminal Defendant’s Twitter Records, Including Tweets, Subject to Production - [http://bit.ly/LxSeFc](http://bit.ly/LxSeFc) (K&L Gates)
• Data Deluge: The Problem Is, You Can’t Keep Everything – [http://onforb.es/LC4Hrt](http://onforb.es/LC4Hrt) (Dan Roffman)
• Day Two of a Predictive Coding Narrative: More Than A Random Stroll Down Memory Lane - [http://bit.ly/RJV7Gi](http://bit.ly/RJV7Gi) (Ralph Losey)
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- Posse Comitatus - http://bit.ly/N8qw0b (Charles Holloway)
- Spoliation Sanction — Adverse Inference Requires Actual Suppression or Withholding of Evidence - http://bit.ly/N8t1Q7 (Gregory Joseph)
- Supreme Court of Florida Adopts Amendments to Civil Rules to Address e-Discovery - http://bit.ly/Ngg5vl (K&L Gates)
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- Twitter Will Give You Up to the Cops 75% of the Time - http://bit.ly/PqrEno (Andrew Lu)

Reports and Resources


**Sight and Sound**


**Technology and Tactics**

- Big Data for the Poor - [http://nyti.ms/N8trWS](http://nyti.ms/N8trWS) (Quentin Hardy)
- Cell Carriers See Uptick in Requests to Aid Surveillance - [http://nyti.ms/RNqj7D](http://nyti.ms/RNqj7D) (Eric Lichtblau)
- Tech Companies Leave Phone Calls Behind - [http://nyti.ms/Olqy69](http://nyti.ms/Olqy69) (Amy O’Leary)

Vendor Views

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- FTI Consulting, Inc. Announces Special Charge for Actions Taken in the Second Quarter of 2012 - http://prn.to/Ps0Hj6 (PR Newswire)
- Hyland Software Introduces OnBase 12 - http://on.mktw.net/OupLjl (PR Newswire)
- M. Scott Peeler Joins Stroz Friedberg - http://mwne.ws/OtEw5T (Marketwire)
- OpenText to Report Fourth Quarter and Fiscal Year-End 2012 Financial Results - http://on.mktw.net/RrXgGy (PR Newswire)
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July 4, 2012

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- How To Manage The Costs Of Big Data In eDiscovery – http://bit.ly/Quv4IL (Kelli Clark)
- Predicting the Future of Predictive Coding – http://bit.ly/M325C3 (Hayes Hunt, Jillian Thornton)
- Scanning May No Longer Be Cool, But it’s Still Necessary – http://bit.ly/LkZlR0 (Doug Austin)
- The Best Place to Perform Technology Assisted Review (TAR) http://bit.ly/Qi5slQ (Charles Skamser)
• When Litigation Hits, The First 7 to 10 Days is Critical – http://bit.ly/LigIC2 (Doug Austin)
• Will SCOTUS Weigh In on the Taxation of eDiscovery Costs? | Discovery Advocate – http://bit.ly/Qi4TPa (Carey Busen)

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• Federal Judicial Center Updates eDiscovery Pocket Guide – http://bit.ly/LBFx0e (Monica Bay)
• eDiscovery Governance & Litigation Response Plans (PDF) http://bit.ly/LkUK11 (Greenberg Traurig)
• July Edition of Notable Cases and Events in eDiscovery (PDF) http://bit.ly/QqnLLP (Sidley Austin)
• Older Adults and Internet Use | Pew Research Center’s Internet & American Life Project – http://bit.ly/LyvBTA (Kathryn Zickuhr, Mary Madden)
• The Future of Smart Systems | Pew Research Center’s Internet & American Life Project – http://bit.ly/LrV2U7 (Janna Anderson, Lee Rainie)
• The Rear View Mirror on Google+: 5 Top Stories From Last Week’s Unfiltered Orange Newsletter – http://bit.ly/NdXqOM (@OrangeLT)

Sight and Sound

• Case in Point for Monday, July 2nd, “eDiscovery Miranda Rights” – http://bit.ly/Ls1kDe (Tom Fishburne)
• Cautionary Tales Of eDiscovery Gone Awry Define News Corp Scandal, says Symantec’s Allison Walton – http://bit.ly/Qt1YTK (ACEDS)

Technology and Tactics

• Big Data And Health Care Get Engaged – http://onforb.es/LzZZwM (Ben Kerschberg)
• Floodgates Open as Social Media Arrives in Finance World – http://bit.ly/Llh0rV (Amy Henzmann)

Health Care Jobs in Balance with Court Ruling – http://bit.ly/LF1Qck (Beecher Tuttle)

Heart Surgeon’s Spycams Lead To $2 Million Verdict – http://bit.ly/LrXIXt (Thomas Scheffey)

Hong Kong’s Privacy Commissioner Publishes Guidance Note on Personal Data Erasure and Anonymisation http://bit.ly/Ld2odZ (Gabriela Kennedy)


Is There a Breach in the Dam Holding Back Damage Actions for Alleged Privacy Breaches? http://bit.ly/Qt5gXf (Christopher Wolf)


‘Lawyerbots’ Offer Attorneys Faster, Cheaper Assistants – http://huff.to/MFRLUS (Brittany Fitzgerald)


New European Guidelines to Address Cloud Computing http://nyti.ms/LrVxNS (Kevin O’Brien)


Predicting Securities Fraud Settlements and Amounts – http://bit.ly/Ldn1pa (Gerard Britton)


Vendor Views


Allen J. McNee Named President of Applied Discovery(R) – http://mwne.ws/LFaI0g (Marketwire)

Bob Lorum Joins iCONECT as Vice President of Marketing – http://bit.ly/LySgty (PR Web)

Celerity Consulting Group Becomes Relativity Premium Hosting Partner – http://yhoo.it/LBeC2U (PR Web)

Complete Discovery Source Completes SSAE 16 SOC 1 Type II Audit – http://on.mktw.net/Ok6CDq (Press Release)


DocAuto’s E-Mail Management Suite Expands – http://on.mktw.net/LKM1bm (PR Newswire)

Dolbey and Alpha Systems Announce Strategic Alliance Partnership – http://on.mktw.net/LGlKkx (Business Wire)


Epiq Systems Panel Event Delivers Lively Discussion on Views Toward Technology Assisted Review (TAR) – http://yhoo.it/KWsvXv (Press Release)


Flex Discovery Expands Litigation Consulting Team – http://bit.ly/Ls021m (PR Log)


Guidance Software Signs Distributor Agreement in Japan with Network Value Components (NVC) – http://on.mktw.net/R1ZimT (Business Wire)


IRIS Legal Recognised for Excellence with Prestigious Industry Award Win | UK News – http://bit.ly/Lo0ciQ (@LegalIT)

KrollOntrack To Double Research and Development Team Over The Next Five Years – http://bit.ly/LyQEY0 (@LegalIT)


Lighthouse eDiscovery Deploys Riverbed Whitewater to Improve Cloud-Based Data Protection – http://yhoo.it/LG4p76 (Marketwire)

Litéra Adds Four Executives, Bolsters Product Offerings” http://bit.ly/LkVT8Z (Monica Bay)


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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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