

Unfiltered Orange | Weekly eDiscovery News Update – March 6, 2013

Recognized nationally in [Forbes' Law and Technology Blog](#) as a leading source of trusted eDiscovery information, Orange Legal Technologies' [Unfiltered Orange](#) newsletter is published weekly to provide legal and technology professionals with current and relevant news and views related to the discipline of eDiscovery. With content ranging from legislation to lessons, from compliance to competitors and from social media to sanctions, [Unfiltered Orange](#) is your weekly best source for keeping up-to-date with all things eDiscovery.

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eDiscovery Updates

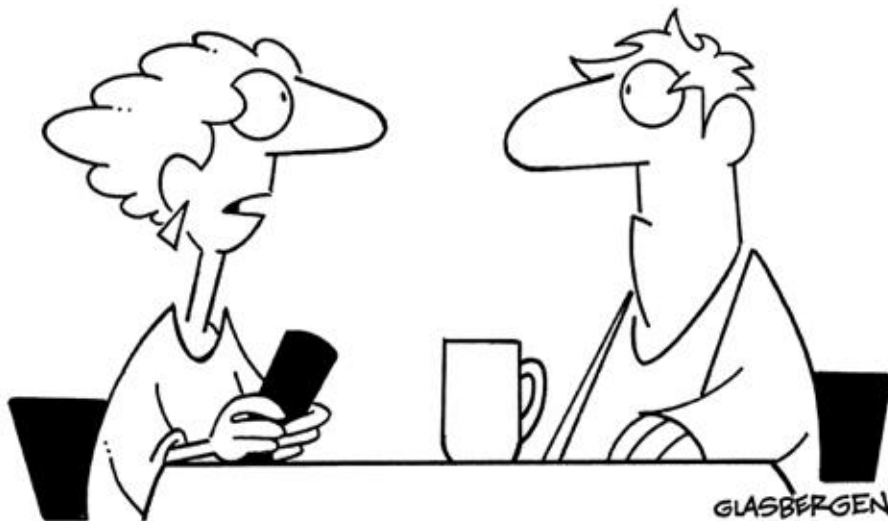
Considerations

- A Bad “Day” for a Company Whose In-House Attorney Failed to Properly Preserve Relevant Documents - <http://bit.ly/Y8s8iK> (Susan Nardone)
- A Peek Behind the Technology-Assisted Review Curtain - <http://bit.ly/Z3dmLz> (Karen Baumer)
- ABA Issues New Opinion: Judicial Ethics and Social Media - <http://bit.ly/Y93Yoz> (Sharon Nelson)
- Authentication of Facebook Messages Requires Circumstantial Evidence That the Purported Sender in Fact Was Responsible for the Message – <http://bit.ly/YxnA5J> (Gregory Joseph)
- Can Homeland Security Really Search Any Electronic Device For Any Reason? <http://bit.ly/YOfOFM> (Shannon Allen)
- Changes to California Code of Civil Procedure - <http://bit.ly/YNxBwP> (Lauren Coatney)
- Computer-Assisted Review Costs Awarded in California Patent Case - <http://bit.ly/Z2H2ss> (Jennifer Williams, Stephanie Blair)
- Controversial ‘Six Strikes’ to Combat Online Piracy - <http://bit.ly/15PFXXU> (Lisa Shuchman)
- Court Awards Millions in Attorneys’ Fees for Document Review Conducted by Contract Attorneys and Use of Computer-Assisted Review – <http://bit.ly/Yp8wqO> (K&L Gates)
- Court Shoots Down Another Attempt at Facebook Fishing - <http://bit.ly/Z2EwT5> (Christopher McKinney)
- Craig Ball of Craig D. Ball, P.C. – eDiscovery Trends, Part 1 – <http://bit.ly/YxpGm7> (Doug Austin)
- Customer Lists By Another Name: Social Media and Trade Secrets - <http://bit.ly/Ynf09F> (Michael Elkon)
- District Court Sanctions EEOC For Thwarting Discovery Of Social Media Content - <http://bit.ly/Z1j5Sc> (Christopher DeGroff, Gerald Maatman)
- eDiscovery Is Expensive, ABA Journal Offers Tips To Reduce eDiscovery Costs – <http://bit.ly/YSYjUN> (CA Attorney’s Fees Blog)
- Five Steps to Regaining E-Discovery Control in the Era of Big Data - <http://bit.ly/YnWKgs> (Scott Giordano)
- Hands-on eDiscovery: California Seminar on Responding to Discovery Requests - <http://bit.ly/YLIUGS> (Josh Gilliland)
- Intra-Office E-mails: What Used To Be Unreported Office Gossip Now Exposes Companies to Liability - <http://bit.ly/YPwiO3> (Catherine Kiernan)
- Is a Digital Picture Worth a Thousand Words? <http://bit.ly/Yst6GS> (Mark Berman)
- Latest Scandal In Maine Zumba Trial: Defendant Gets eDiscovery’d! <http://bit.ly/Yox1UZ> (@ITLexOrg)
- Managing Risks And Costs Of Responding To Third-Party Civil Subpoenas - <http://bit.ly/Z6lNG2> (Anthony Diana, Kim Leffert, Michael Frisch)
- Massachusetts Bill To Ban Data-Mining of Student Emails - <http://bit.ly/XDPfjb> (Bradley Shear)
- Predictive Coding: A Working List of Technologies and a One-Question Provider Implementation Survey - <http://bit.ly/Zd4qBq> (@ComplexD)

- Ralph Losey of Jackson Lewis, LLP – eDiscovery Trends, Part 1 – <http://bit.ly/Ybe9Jf> Part 2 - <http://bit.ly/Z1x9v0> (Doug Austin)
- Reducing Legal Department Budgets May Be Short-Sighted - <http://bit.ly/YNSesQ> (Al Driver)
- RICO: Mailings That Increase Probability Of Mailer Detection and Apprehension Do No Constitute Mail Fraud – <http://bit.ly/Z1y5iT> (Gregory Joseph)
- Search Software: 25 Things to Consider - <http://bit.ly/Z6lyL8> (Ralph Losey)
- Social Media Status Updates: A Gray Area of Solicitation- Part 2 - <http://bit.ly/Ysvqcb> (Michael Elkon)
- Supreme Court Standing Case Has Implications for Privacy Litigation - <http://bit.ly/YbxmKS> (Hogan Lovells)
- The Many Types of Legal Search Software in the CAR Market Today - <http://bit.ly/Xk8mCA> (Ralph Losey)
- When Parties Fail to Cooperate During Discovery, Everybody Loses | eLessons Learned - <http://bit.ly/Z2ESJ8> (Marco Ferreira)
- Why Does eDiscovery Cost So Much? <http://bit.ly/YoB6Zy> (Dera Nevin)

Levity

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“You have the right to remain silent. Anything you say may be used against you on Facebook, Twitter and YouTube!”

Risk

- Analysis: The Rising Costs of FCPA Investigations - <http://bit.ly/YsMS5c> (Jaclyn Jaeger)
- Dude, Where’s My Data? <http://on.wsj.com/YPzvqp> (Ben DiPietro)
- FSA Outlines Claims Data Disclosure Plans for Insurance Firms – <http://bit.ly/Z6ojfu> (Pinsent Masons)
- FTC Report Indicates That Almost One in Five Consumer Complaints Involves Identity Theft - <http://bit.ly/YSXGKO> (Hunton Lovells)
- German Court Holds Presence of Irish Subsidiary Precludes Application of German DP Law to Facebook – <http://bit.ly/YPvYyC> (Hogan Lovells)
- Germany Passes New Internet Copyright Law After Watering It Down To Spare Google From Having To Pay - <http://tcrn.ch/YPA2iw> (Frederic Lardinois)
- Judge Cuts Sum Owed to Apple Over Patents - <http://nyti.ms/YZ1JFr> (Nick Wingfield)
- New Russia Law goes Beyond FCPA, Bribery Act - <http://bit.ly/Z6mQFV> (Thomas Firestone)
- Regulation FD in the Age of Facebook and Twitter - <http://hvrd.me/15To3DD> (Joseph Grundfest)

- Regulatory: The Long Arm Of The FCPA Just Got Longer - <http://bit.ly/XH66ll> (Aaron Murphy)
- Revamped SHIELD Act Again Seeks to Thwart ‘Patent Trolls’ - <http://bit.ly/15SYmmI> (Lisa Shuchman)
- SEC Enforcement Actions – No Discovery Rule Available to Extend the Statute of Limitations - <http://bit.ly/YOgzP3> (Rodger Heaton)
- SHIELD Act Seeks to Shift Litigation Costs in Patent Suits Brought by Non-Practicing Entities – <http://bit.ly/YclWVX> (Emily Borgen)
- Sixth Circuit Decides Trademark Rights In Dispute Arising After Two Asset Sales Involving Unregistered Trademark – <http://bit.ly/Z2Cp1v> (Jay Yurkiw)
- Steps to Improve Information Risk Management - <http://bit.ly/Z6l5Zu> (Catherine Dunn)
- Taking a Bite out of Cybercrime - <http://bit.ly/YNy42a> (Ryan McConnell, Tim McIntruf)
- The CISO: An Unfinished Story - <http://bit.ly/15PGVTX> (Michael Bruemmer)
- The Data Breach Lawsuit Powder Keg - <http://bit.ly/YOk6gm> (Brad Walz)
- The Patent Legal Malpractice Implications of “Walker Process” Antitrust Claims - <http://bit.ly/Z7nXoS> (Paul Swanson)
- USPTO Forum Offers Fixes for Software Patent System – <http://bit.ly/YSUUp3> (Lisa Shuchman)

Resources

- ABA Formal Opinion 462: Judge’s Use of Electronic Social Networking Media (PDF) <http://bit.ly/XH6Dng> (American Bar Association)
- IDC Forecasts Worldwide Spending on Hosted Private Cloud Services to Surpass \$24 Billion in 2016 - <http://bit.ly/Y8ZAG4> (Business Wire)
- Links to eDiscovery content in the Legal IQ Resource Library - <http://bit.ly/YZ2iiE> (Chris Dale)
- New IDC MarketScape Provides Vendor Assessment of Worldwide Business Consulting Services Market - <http://on.mktw.net/YcHH9n> (Business Wire)
- On Predictive Coding – A JD Supra eDiscovery Reader (Corporate Law Report) [@JDSupra](http://bit.ly/ZaPrtZ)
- Predicting Discovery? Initial Results of 120-Second Provider Predictive Coding Survey - [@ComplexD](http://bit.ly/XirAVh)
- The Internet Access Gap Survey: Right Conclusion, Wrong Numbers - <http://bit.ly/YPv4SJ> (Mark Goldberg)
- The Most Extensive Collection Of FCPA Scholarship Between Two Covers - <http://bit.ly/YnfOeS> (Mike Koehler)

Senses

- Cartoon: The Challenge of Technology - [@OrangeLT](http://bit.ly/XImUIG)
- Cartoon: The Data Mountain - <http://bit.ly/Yby9eD> (Jon Carter)
- Podcast: Advice on Information Governance and eDisclosure for Tomorrow’s Lawyers - <http://bit.ly/YZ4c2W> (Richard Susskind, Chris Dale)
- Video: Judge Andrew Peck on Proportionality - <http://bit.ly/Z6oEPb> (Monica Bay)
- Video: Mother Ordered to Stop Posting About Her Son on Facebook - <http://bit.ly/Z43hy9> (Colin O’Keefe, Neil Cahn)
- Video: Protecting Businesses from Cyber Threats – <http://bit.ly/YxoW0t> (Peter Vogel)
- Video: What Companies Should do to Prepare for Implementation of Cybersecurity Executive Order – <http://bit.ly/YxqGGU> (Jerry Ferguson)

Technologies

- An Introduction to Security and Reliability – What Does It Really Mean? – <http://bit.ly/YNSZSx> (Brett Watson)
- Data Clustering Using Naive Bayes Inference - <http://bit.ly/YvpkMQ> (James McCaffrey)
- Feds Pursue Uniform Approach To Device Management - <http://bit.ly/YZ4yqg> (Elena Malykhina)
- Google Breaks Silence On FBI’s National Security Letters That Demand Its Users’ Data - <http://onforb.es/ZaO7ac> (Andy Greeberg)

- Google+ Social Sign-In Has Pros, Cons - <http://bit.ly/YZ3Hpx> (Deb Donston-Miller)
- KMWorld 100 Companies That Matter in Knowledge Management – <http://bit.ly/YZ2xub> (Hugh McKellar)
- Managing Email With Exchange Web Services - <http://bit.ly/YtrGMn> (Mark Gerow)
- On Facebook, Sharing Can Come at a Cost – <http://nyti.ms/Yla9WG> (Nick Bilton)
- Privacy in the Cloud, or Why Won't Social Media Let Me Be Anonymous?!<http://bit.ly/YcFdYD> (Lyonette Louis-Jacques)
- Rice University's OpenStax Tutor Tackles Personalized Learning – <http://bit.ly/Yxkcb2> (David Carr)
- Security and Reliability: A Deeper Dive into Network Assessments - <http://bit.ly/Yp7D1t> (Bret Watson)
- Social Media Explosion in China: Opportunity for Law Firms - <http://bit.ly/YlbDQK> (Kevin O'Keefe)
- The Layers of Email Security - <http://bit.ly/15Q7NmY> (Jeff Orloff)
- Virtualized Applications: How Do You Protect Uptime? <http://bit.ly/YpK34L> (Taneja Group)
- Which Social Media Are The Inc. 500 Using? <http://bit.ly/Z1iv75> (Kevin O'Keefe)
- Who Owns Student Data? <http://bit.ly/15SXmiq> (Ellis Booker)

Vendors

- Accelerate Document Reviews: The One Decision® Document Review Accelerator – [@OrangeLT](http://bit.ly/WSRz8t)
- AccessData Announces 2013 Users' Conference; Fifth Annual Meeting - <http://bit.ly/Y91aHT> (Business Wire)
- Autonomy's Lynch Re-Ignites His Fight With HP On Stage At London Web Summit - <http://tcrn.ch/YPxXTv> (Mike Butcher)
- BNP Paribas Securities Services Selects Datawatch To Deliver Big Data Analytics From EMC Documentum - <http://prn.to/Z1Z79X> (PR Newswire)
- Big Data, Predictive Coding and Data Reuse among Top eDiscovery Trends in FTI Consulting Study - <http://prn.to/YsunxK> (PR Newswire)
- Catalyst to Offer Live Insight Certification Courses in New York and Washington, D.C. This Spring - <http://bit.ly/YZ62AL> (Announcement)
- C2C Automates PST Discovery, Disposition and Archiving of "Dark Data" With PST Enterprise - <http://mwne.ws/Z7r6Ff> (Marketwire)
- Complete Discovery Source Relocates and Expands Washington DC eDiscovery Office – <http://bit.ly/Zb0Jym> (Press Release)
- Daegis to Announce Fiscal 2013 Third Quarter Results on March 7, 2013 - <http://bit.ly/XGqNhf> (Business Wire)
- Dell Works with Red Hat, Intel and VMware Launch Center of Excellence for Hospitals Using Epic EHR Software – <http://on.mktw.net/Z1Ny2w> (Business Wire)
- Digital Reasoning and Clutch Group Partner to Revolutionize Compliance and eDiscovery - <http://bit.ly/XG4Q1B> (PR Web)
- DTI Announces LitWorks™ 2013 Certified Litigation Support Professional Training in Tampa, FL May 14–17 - <http://bit.ly/YfBQA6> (DTI Global)
- Conversations from LegalTech 2013 - <http://bit.ly/XIpRst> (C. McGovern Landry)
- Elijah Ltd. and eDirect Impact LLC Announce Merger - <http://bit.ly/Z7rxPX> (PR Web)
- EMC Greenplum Brings SQL to Hadoop – <http://onforb.es/XIs1Zl> (Ben Woo)
- Epiq Systems Management Discusses Q4 2012 Results – Earnings Call Transcript - <http://bit.ly/Z6uu3f> (Seeking Alpha)
- Epiq Systems Year-End 2012 Results: Growth of 32% in Operating Revenue and 45% in Cash from Operations - <http://bit.ly/YpfbkP> (Announcement)
- eTERA Consulting Welcomes Gemean Corporation as New Business Partner - <http://yhoo.it/YLjB6T> (PR Web)
- eTERA Consulting Welcomes Joseph Mulieri as New Business Partner - <http://yhoo.it/15PGYzl> (PR Web)
- FTI Consulting Reports Fourth Quarter and Full Year 2012 Results - <http://prn.to/XIow58> (PR Newswire)
- Iron Mountain Reports Fourth Quarter and Full-Year 2012 Financial Results - <http://bit.ly/15TpG4l> (Business Wire)
- Gettin' Jiggy With It: Your Review Layouts – eDiscovery Insight - <http://bit.ly/YldiFM> (Scott Lefton)
- Guidance Software Wins Reader Trust Award in 2013 SC Magazine Awards - <http://bit.ly/Z1xkq2> (Business Wire)

- Healthcare Information Governance Requires a New Urgency - <http://bit.ly/Z2HIOu> (Bill Tolson)
- Hyland Software Acquires AnyDoc Software - <http://prn.to/YbAA0P> (PR Newswire)
- iCONNECT Launches Newly Branded Website Produced in Partnership with Biscuit Studios - <http://bit.ly/Z6vuEn> (PR Web)
- kCura, Andrew Sieja, CEO: View From the Top - <http://bit.ly/YSWEhY> (KM World)
- kCura Named to KMWorld's 100 Companies That Matter in Knowledge Management - <http://on.mktw.net/YsuRUs> (Press Release)
- LexisNexis Inks Exclusive Deal With Rosen Technology Resources - <http://bit.ly/Yxcu0P> (Michael Roach)
- LexisNexis to Offer "Near Duplicate" and "Email Threading" Tools in eDiscovery Software Suite - <http://bit.ly/Z2DLZX> (Business Wire)
- MessageSolution to Unveil Drag & Drop Outlook and SharePoint Collaboration Suite - <http://bit.ly/Z6vfJw> (PR Web)
- LexisNexis hires Dun & Bradstreet COO Mohan Ramaswamy as Managing Director - <http://bit.ly/15PGEjT> (Bar & Bench)
- New Global Legal IT Magazine Legal IT Today Launched - <http://bit.ly/YsMrI3> (@LegalIT)
- Nigel Murray of Huron Legal – eDiscovery Trends - <http://bit.ly/15T0b2Z> (Doug Austin)
- Servient and Special Counsel Form Strategic Partnership to Provide a Comprehensive E-Discovery Solution - <http://bit.ly/15QxcwH> (PR Web)
- STEALTHbits Technologies Launches Unstructured Data Provisioning Solution for IBM Security Identity Manager - <http://bit.ly/YniLfg> (PR Web)
- Symphony Technology Group's Acquisition of LexisNexis Screening Business Closes - <http://mwne.ws/YswGkb> (Market Wire)
- The Latest 40+ Updates: eDiscovery Vendor Clips | Live News Feed - <http://bit.ly/P2xdEi> (@ComplexD)
- They Are Back!! The Return of the eDiscovery (Red) Zone - <http://bit.ly/15Ri0Q0> (Tom O'Connor)
- ZL Technologies - Kon Leong on Managing Messy Data - <http://bit.ly/Yci5ob> (Federal News Radio)

2013 Events

MARCH

Second Annual ASU-Arkfeld eDiscovery and Digital Evidence Conference
 March 13-15, 2013
 Tempe, AZ
[Click here for more information.](#)

AIIM Conference
 March 20-22, 2013
 New Orleans, LA
[Click here for more information.](#)

The Sedona Conference® Institute's 7th Annual E-Discovery Program: Living On E-Discovery's Cutting Edge
 March 21-22, 2013
 San Diego, CA
[Click for more information.](#)

APRIL

Electronic Discovery for the Small and Medium Case
 Levin College of Law, University of Florida and EDRM
 April 4-5, 2013
[Click here for more information.](#)

ABA TECHSHOW
 April 4-6, 2013
 Chicago, IL
[Click here for more information.](#)

Laguna Beach eDiscovery Retreat
April 10-12, 2013
Laguna Beach, CA
[Click here for more information.](#)

2013 ALA Annual Conference and Exhibition
April 14-17, 2013
Washington, DC
[Click here for more information.](#)

LawTech Futures
April 30, 2013
London, UK
[Click here for more information.](#)

MAY

EDRM 2013-14 Kickoff Meeting
May 7-9, 2013
St. Paul, MN
[Click here for more information.](#)

CEIC 2013
May 19 – 22, 2013
Orlando, FL
[Click here for more information.](#)

LegalTech West Coast
May 21-22, 2013
Los Angeles, CA
[Click here for more information.](#)

AUGUST

ILTA 2013 Annual Conference
August 18-22, 2013
Las Vegas, NV
[Click here for more information.](#)

SEPTEMBER



Fifth Annual Intermountain eDiscovery Conference – 2013
September 26, 2013
Salt Lake City, UT
[Click here for more information.](#)

OCTOBER

LawTech Europe Congress 2013
October 21 – 22, 2013

Prague, Czech Republic
[Click here for more information.](#)

ACC 2013 Annual Meeting
October 27-30, 2013
Los Angeles, CA
[Click here for more information.](#)



About Orange Legal Technologies

OrangeLT™ is a leading provider of electronic discovery litigation, audit, and investigation technology and services for law firms and corporations. Having served over 1,000 clients since inception and with over 250 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 technology and 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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