

Unfiltered Orange |

Weekly eDiscovery News Update – December 7, 2011

Highlighted in Forbes' Law & Technology Blog as one of [Eight Great Law & Technology Resources](#), Orange Legal Technologies' *Unfiltered Orange* Weekly eDiscovery News Update provides readers with a trusted compilation of key public domain eDiscovery news, views and events.

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(<http://www.orangelt.com>)



eDiscovery News

Content and Considerations

- 81 Percent of eDiscovery Users Head for Cloud Services - bit.ly/vXBu65 (John Moore)
- Beware Social Media: What You Tweet And Put On Facebook Can Come Back To Haunt You - bit.ly/uPJSce (James Berkow)
- Cloud Computing & Jurisdiction: A Primer - bit.ly/vmG7I0 (Daniel Garrie)
- Data Breach at Santa's Workshop - bit.ly/vvwjml (Sharon Nelson)
- Deepwater Dispute Underscores Need for eDiscovery Policy - bit.ly/s91zG7 (Gareth Morgan)
- Destroy Legacy Data Before It Comes Back to Haunt Your Firm - bit.ly/suasF3 (Anne Kershaw)
- E-Discovery Burdens | North Carolina Journal of Law and Technology - bit.ly/sZKCTy (Tony Botros)
- Federal Circuit Court Emerging as US Catalyst on eDiscovery Practices - bit.ly/t6YLLA (ACEDS)
- From the Experts: Information Governance and Its Impact on Litigation - bit.ly/tvidlj (Debbie Carlos, Jennifer Coyne)
- Fighting Lawsuits in the Digital Era (Baseline) bit.ly/uBICKN (Amanda Berger)
- Have You Hugged a Contract Attorney Lately? | The eDiscovery Myth - bit.ly/sQ6rB4 (Daryl Shetterly)
- Honeywell Continues to Seek Sanctions against US Justice Department - bit.ly/tz3vzJ (BLLAWG)
- Into the Breach: The Need To Carefully Monitor Emerging Liability Case Law - bit.ly/rCV4AL (Soo-young Chang, Daniel Gerber)
- Indemnity Costs Awarded Where Unnecessary Costs Were Incurred - bit.ly/va6x4p (Chris Dale)
- Is \$1.3M Worth Having Your Ethics Questioned? - bit.ly/vYerWl (Devin Krugly)
- Is eDiscovery Ignorance Bliss? Round 2: John Henry vs. Do-Nothing (Enterprise Strategy Group) bit.ly/vMyqVg (Katey Wood)
- Judges Take The Lead In Controlling eDiscovery Cost And Complexity - bit.ly/sKIlcv (Jeffrey Sullivan)
- Judges Shouldn't Be Forcing People To Hand Over Their Facebook Passwords, Says Expert (Forbes) onforb.es/tYjPqF (Kashmir Hill)
- Labor: Hold Everything! How To Know If You Need A Litigation Hold Notice - bit.ly/sf6Alp (Sara Ackermann)
- Larry Center: Georgetown eDiscovery Conference's 'Guru' - bit.ly/tdSkvz (Monica Bay)
- Legal Responsibilities to Preserve Data – eDiscovery Best Practices - bit.ly/vYdkzk (Laura Waldman)
- Losers Pay Electronic Discovery Costs in Several More Cases – This is a Trend Worth Watching - bit.ly/rBsSAn (Jeffrey Parkhurst)
- Managing the Risks and Costs of E-Discovery in Regulatory Investigations - bit.ly/vjHtCw (Mayer Brown)
- New York Supreme Court Requires Production of Software to Review Files - bit.ly/vjO2QX (Doug Austin)
- Oregon Adopts Metadata Opinion - bit.ly/t2Y17s (Beverly Michaelis)
- Pa. Cases to Have Long-Term Impact on Police Use of Text Messages - bit.ly/s4gN0G (Ben Present)

- Post at Your Own Risk: Pennsylvania Court Permits Discovery of Info on Personal Facebook Profile - bit.ly/rq36Zp (Calli Varner)
- Predictive Coding Could Doom Document Review by Humans - bit.ly/s9FdiX (Andrew Chow)
- Privacy Case Focuses Justices on the Meaning of ‘Actual Damages’ - bit.ly/u0tlgh (Marcia Coyle)
- Regress to Neutral: A Response to Robert Owen’s EDD Proposals - bit.ly/uUsApY (Henry Kelston)
- Reset to Neutral: Rethinking Preservation Protocol - bit.ly/sJBgPH (Robert Owen)
- Software Necessary to View Files Subject to Production under NY Freedom of Information Law - bit.ly/rYXirw (K&L Gates)
- Teams Work: Jettison Command Hierarchies and Create Collaborative eDiscovery Groups - bit.ly/uiA2QG (Monica Bay)
- Tell Me Why? bit.ly/tO28WD (Ralph Losey)
- The Meat and Potatoes of Meet and Confer – Detroit Legal News - bit.ly/rDvvjS (Mark St. Peter)
- The Ramifications of a Lack of Cooperation in Electronic Discovery - bit.ly/vja5zh (Mike Mintz)
- Turning in Laptop at End of Employment without Claiming Privilege as to Contents Effects Waiver - bit.ly/uKTp8u (Gregory Joseph)
- When Preservation Requests Are Wielded as Weapons - bit.ly/toIfk0 (Craig Ball)
- Who Will Save E-Discovery? Say, “Hello” to Big Data! - bit.ly/rEtnwP (Dennis Kiker)
- Why Legal, IT, Compliance and Investigators Must Work Together! bit.ly/uL6SOW (Johannes Scholtes)
- Why Not Move Your eDiscovery to the Cloud? – bit.ly/vOXY8O (Greg Buckles)

Reports and Resources

- Bytes in Brief – Issue 175 – December 2011 - bit.ly/vFvp5c (Sharon Nelson, John Simek)
- Codes of Conduct Dataset Available to In-House Counsel - bit.ly/rskPYO (Catherine Dunn)
- Data Format for the Interchange of Fingerprint, Facial & Other Biometric Information - 1.usa.gov/t79ZzN (NIST)
- EDDE Journal – Winter 2012 Volume 3, Issue 1 (PDF) – bit.ly/rt8Qie (ABA Section of Science & Technology Law)
- eDiscovery 2011 Year in Review: Preservation Tops the List Again - bit.ly/rsHGvT (Kroll Ontrack)
- EMC European Disaster Recovery Survey 2011 - bit.ly/u2aATf (EMC)
- Enterprise Strategy Group’s Legal Trends Survey Reveals Alarming Inattention to eDiscovery Spending - bit.ly/sDGHe6 (Dean Gonsowski)
- Law Technology News – December 2011 Digital Edition - bit.ly/tHcXU3 (Law Technology News)
- Less Isn’t More – 2011 Study Shows Less Litigation and Cooperation but More Regulation - bit.ly/u9ZGxK (Brian Glaser, Evan Koblenz)
- The Copyright Misuse Doctrine’s Role in Open and Closed Technology Platforms (PDF) bit.ly/tz61qF (Jonas Herrell)
- The e-Discovery 411 November 2011 - bit.ly/rD5D6A (LeclairRyan)
- The Future of Computing - nyti.ms/t1Y3Cd (NY Times)
- The NIST Definition of Cloud Computing (PDF) 1.usa.gov/ohXnIM (Peter Mell, Timothy Grance)

Technology and Tactics

- 5 Ways to Benefit from NIST’s Cloud Roadmap - bit.ly/rOT2dN (Government Computer News)
- A Deeper Look into Exchange 2010 SP2 - bit.ly/sdJXfa (Casper Manes)
- Archiving, Business Continuity/DR Should be Part of Every Organization’s Cloud-based Backup Strategy - bit.ly/rECYKE (Jerome Wendt)
- ArcMail’s New Cloud Storage Gateway Drives Secure Storage to the Cloud - bit.ly/ubQvYQ (PR Web)
- Better Business Bureau Takes A Firm Stand Against Social Media Credential Fraud - bit.ly/t8xUWB (Bradley Shear)
- Better Email Management Can Save Companies Billion a Year in Wasted Time - bit.ly/sSUqeC (John Mello)
- Big IT Vendors Try Buying Their Way Into Cloud - bit.ly/rH6iwZ (Jeff Kaplan)
- Carrier IQ Captures Cell and Internet Usage from Millions without Approval - bit.ly/u3JapR (Peter Vogal)
- Christmas Comes Early – Exchange 2010 SP2 is here! bit.ly/uZUArE (Casper Manes)

- Cisco, HP Expand Cloud Computing Efforts - bit.ly/uM7UmQ (Jeffrey Burt)
- Could the U.S. Government Start Reading Your Emails? bit.ly/vO7zkQ (John Brandon)
- Europe Wants Unified Privacy Approach: One Data Protection Law, One Single Authority - zd.net/vryBZw (Zack Whittaker)
- Facebook Acquires Social Location Service Gowalla - bit.ly/vhDDCH (Thomas Claburn)
- Facebook Confesses Failure to Comply with Privacy Laws - bit.ly/w536xT (Peter Vogel)
- Gartner and IDC Cloud Predictions - bit.ly/rC7vXy (Cloud Times)
- Governmental Tracking of Cell Phones and Vehicles: The Confluence of Privacy, Technology, and Law - bit.ly/uGgVOa (Richard Thompson)
- IDC on 2012: Prepare for Cloud Wars, Mobile Explosion, Higher IT Spending - bit.ly/rLgIGH (Michael Cooney)
- IDC: Storage Growth Slowing to Normal - bit.ly/syDoIP (Stephen Lawson)
- Is Law Blogging Just Advertising? The Virginia Bar Thinks So - bit.ly/sKxlyj (Christopher Danzig)
- Liability for Corporate Misconduct: It Concentrates the Mind - bit.ly/tpueEc (Fred Krebs)
- Most Execs Don't Feel They Can Secure Cloud Infrastructures – Dark Reading - bit.ly/uOtVHk (Tim Wilson)
- Safari Adventure: 5.1.2 - bit.ly/u1XwHI (Bllawg)
- The 5th Annual ABA Journal Blawg 100 - bit.ly/ryi0I8 (Molly McDonough)
- The Best Government Social Media Guidelines So Far Come from New Zealand - bit.ly/sKr20D (Andrea Di Maio)
- Your Next Storage System - bit.ly/uiPtPO (George Crump)

Twitter Hashtags of the Week

- [#eDiscovery](#)
- [#eDisclosure](#)
- [#LTNY](#)

Vendor Views

Industry Landscape

- 17a-4 Announces Release of DataParser 7.0 and Integration of eDiscovery and Law Department DeskTop Portal - bit.ly/sTwxYo (PR Web)
- A Marvelous Birthday Present for the E-Discovery Community - bit.ly/rYTYZf (Craig Ball)
- Bayside Capital Completes Gallo Deal - bit.ly/tnGdip (Wall Street Journal)
- Complete Discovery Source (CDS) Replicates Its SAS 70 Type II Data Center in Washington, DC - bit.ly/uDo7m9 (Marketwire)
- C2C Launches PST Enterprise(TM) to Manage the Elimination and Migration of Microsoft Exchange PST - bit.ly/voR4Ac (Marketwire)
- doeLEGAL Successfully Completes SSAE 16 Type II Data Hosting Audit - yhoo.it/sztPWY (PR Web)
- Global Relay Brings Compliance to the YellowJacket Trading Community - bit.ly/v6MAAj (PR Web)
- Harvest Partners Announces Recapitalization of Document Technologies, Inc. - bit.ly/tTwsFE (Business Wire)
- HP, Autonomy Planning E-Discovery Refresh - bit.ly/sZ5R5F (Evan Koblentz)
- Hyland Software's OnBase ECM Solution Receives Meaningful Use Certification - prn.to/sPRgWT (PR Newswire)
- IE Discovery Certified as ISO 9001 Compliant - bit.ly/tkM6V7 (Marketwire)
- Lexis Launches Advance, its Next-Generation Research Platform - bit.ly/vjQKLD (Robert Ambrogi)
- Mike Lynch: Autonomy eyes SMB market after HP Acquisition - bit.ly/v9vKPZ (Sophie Curtis)
- Network and Internet Remote Collection Tools - bit.ly/ur7FGR (Sean Doherty)
- Nogacom Releases NogaLogic 3.8 Data Classification Solution - bit.ly/stIY3z (PR Web)
- Nuix Releases 1000x\$100 Powerful eDiscovery and Electronic Investigation Licenses to Raise Money for Charity - bit.ly/vhFQpY (PR Web)
- OpenText Introduces First Auto-Classification Solution with Built-in Transparency and Defensibility - bit.ly/tf7XK0 (Canada Newswire)

- OrangeLT - The Gift of Proven Project Management – bit.ly/sJcgI7 (Orange Legal Technologies)
- Proofpoint Partners With TELUS, Expanding Offerings Throughout Canada - mwne.ws/vqowgM (Marketwire)
- Relativity 7.3 Pre-Release Now Available - bit.ly/s8cCdc (kCura)
- Reed Technology Launches Web Preserver, Web Page Capture and Archiving Service - bit.ly/rBiCpb (Business Wire)
- RSA Named in Leaders Category in Both IT GRC and eGRC Platform Evaluations by Independent Research Firm - bit.ly/vDcHXw (PR Newswire)
- StoredIQ Extends Information Governance to the Cloud with Support for Microsoft Office 365 - bit.ly/s6FJgr (Business Wire)
- Symantec Unites Virtual and Physical Backups With the Impending Release of Backup Exec 2012 - mwne.ws/vv2N0Z (Marketwire)
- The Oliver Group Will No Longer Be Charging for DAF Travel Time in NY, CT, MA, RI and NJ - bit.ly/vYYvwf (PR Web)

eDiscovery Events

DECEMBER

3rd Annual Controlling Legal Costs Conference
December 7-8, 2011
New York, NY

IQPC: 12th eDiscovery Conference
December 14-16, 2011
New York, NY

Virtual LegalTech
December 15, 2011
Online

JANUARY

LegalTech New York 2012
January 30 – February 1, 2012
New York, NY

For Complete Events Calendar Visit: <http://www.orangelt.us/info/events/>.



About Orange Legal Technologies

OrangeLT™ is a leading provider of electronic discovery litigation, audit, and investigation services for law firms and corporations. OrangeLT™ offers a complete suite of electronic discovery services to include collection, analysis, processing, review and production of digital and paper-based information. OrangeLT™ is enabled by the OneO® Discovery Platform – an integrated, web-accessible electronic discovery platform that provides online analysis, processing, and review of unstructured data from the security of a hosted centralized repository.

- To sign up for our weekly updates, visit: <http://tinyurl.com/258nzu5>.
- For additional information on Orange Legal Technologies, visit: <http://www.orangelt.com>.