

# Unfiltered Orange |

## Weekly eDiscovery News Update – September 19, 2012

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

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

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### eDiscovery News

#### Content and Considerations

- Actos Litigation Uses Predictive Coding Technology to Sort Documents <http://bit.ly/NzwTQ9> (Linda Grayling)
- Analysis of the Official Report on the 2011 TREC Legal Track – Part Two - <http://bit.ly/Nxai6H> (Ralph Losey)
- Before Pointing Finger for Spoliation Sanctions, Make Sure You Have Bad Faith Evidence Back Up – <http://bit.ly/Nxcye7> (Suzanne Janusz)
- Between A Rock and Hard Place: Twitter's Back Now Against The Wall In Harris Case - <http://bit.ly/Nxvt8E> (Paul Saso)
- BYOD: Opening a Can of Worms for eDiscovery - <http://bit.ly/Q7ZO1a> (Linda Sharp)
- California Electronic Discovery Act: Part Two - <http://bit.ly/Qihp03> (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/NzyhlH> (Dannis Woliver Kelley)
- Court Finds Broad Social Media Requests Fail to Uphold “Reasonable Particularity” Requirement – <http://bit.ly/NAHvOA> (K&L Gates)
- 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/Nozpbs> (Bob Ambrogio)
- Craig Ball on Special Masters in eDiscovery - <http://bit.ly/QfMyRS> (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/QRjBTn> (David Reif)
- eDiscovery Best Practices: Quality Control, Making Sure the Numbers Add Up – <http://bit.ly/T0uEsv> (Doug Austin)
- eDiscovery Best Practices: Quality Control, It's a Numbers Game - <http://bit.ly/QfmAht> (Doug Austin)
- Eighth Circuit Reserves on Question Whether Spoliation Sanctions Are Ever Appropriate in Criminal Case – <http://bit.ly/OXJnhN> (Gregory Joseph)
- 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/Svhg9a> (Anna Biblowitz)
- How to Proactively Control eDiscovery Costs - <http://bit.ly/NxcStp> (Patrick Gaas, Tiffany Harrod)

- Identifying Key Players in the Enterprise eDiscovery Buying Cycle - <http://bit.ly/Or6RMp> (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/NzteSb> (Venkat Balasubramani)
- IT Plays An Ascending Role in eDiscovery - <http://bit.ly/QigFit> (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)
- Litigation: Predictive Coding's Grand Debut - <http://bit.ly/OKRHnl> (Jay Conlin, Andrew Pieper)
- Official Government Website Evidence Is Admissible in New York State - <http://bit.ly/NzxSjl> (Gregory Joseph)
- Rethinking Protective Orders in Patent Cases - <http://bit.ly/Qimgyu> (Elizabeth Iglesias, Claire O'Sullivan)
- 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/Q3mYPY> (Dennis Kiker)
- States Enacting Rules on Use of Electronic Data in Medical Liability Cases – <http://bit.ly/NztMYc> (IHealthBeat)
- Technology Review: A FrameWork for Managing People, Technology and Processes - <http://bit.ly/NrQlhv> (Lynn Frances)
- Tips for Identifying and Preserving ESI – <http://bit.ly/OXF9Xj> (James Bernard, Michael Quartararo, Jason Vinokur)
- Twitter Contempt Sanctions Increase Need for Social Media Governance Plan - <http://bit.ly/Q7ZXLQ> (Philip Favro)
- Twitter Deserves Continuing Credit for Defending Privacy in Harris v. N.Y. <http://bit.ly/NxatyI> (Eric Johnson)
- Twitter Turns Over Wall Street Protester Posts Under Seal - <http://bit.ly/SV0giY> (Tiffany Katy)
- 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/OXFI3u> (Cat Casey)
- What Google Can Teach You about Effective eDiscovery Search - <http://bit.ly/QfnTNp> (Bob Ambrogi)

#### *Reports and Resources*

- Adding Certain eDiscovery Related Costs to the List of Taxable Costs in 28 U.S.C. § 1920 (PDF) <http://bit.ly/NrPYnj> (Anthony Mendenhall)
- Intermountain eDiscovery Conference Speaker Notes – Consolidated (From "Craig To Craigslist") - <http://bit.ly/QfLe1g> (@OrangeLT)
- Senior Citizens and Digital Technology | Pew Research Center's Internet & American Life Project - <http://bit.ly/QijTvi> (Lee Rainie)
- Social Media Case Law Update - <http://bit.ly/NobngV> (John Patzakis)
- Symantec's 2012 State of the Data Center Survey Reveals Increasing IT Complexity - <http://bit.ly/Nxdu2e> (Press Release)
- The Tallinn Manual on the International Law Applicable to Cyber Warfare - <http://bit.ly/Qfm4Qo> (Michael Schmitt)

#### *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)
- IEDC 2012 and Pinterest: On The Trail Of Electronic Bread Crumbs in Investigations - <http://bit.ly/QUMklv> (Sharon Nelson, John Simek)
- IEDC 2012 and Pinterest: From Technology Assisted Review To Twitter: What Clients, Law Firms and Vendors Need to Know - <http://bit.ly/Sx6ZsW> (David Horrigan)

- “Productions” Episode 2: Seal Team Six (Video) <http://bit.ly/SZER6G> (IT-Lex)
- The Development of BYOD - <http://bit.ly/NxdCyN> (InfoGraphic)

### *Technology and Tactics*

- 802.1X Challenges for Department of Defense - <http://bit.ly/QfnQkr> (Aamir Lakhani)
- Are Your Users Afraid of Cloud-Based Email? <http://bit.ly/Q2nCNv> (Jeff Orloff)
- Avoid The Slippery Slope By Practicing Strict Compliance With Global Antibribery Laws! <http://bit.ly/QjrnC> (Mark Thompson)
- Cybercriminals Putting Malware on Computers in Production - <http://bit.ly/SZcDL3> (Sharon Nelson)
- Data Retention Policy, Meet Data Management System - <http://bit.ly/QioYnp> (Heather Hubbard)
- Eleventh Circuit Rules “Damages” Properly Alleged in Data Breach-Identity Theft Lawsuit – <http://bit.ly/NzyqWg> (David Navetta)
- FCPA Liability In M&A: Lessons From Pfizer Settlements - <http://bit.ly/QfrXNx> (Lucinda Low, Tom Best, Jeanne Cook)
- 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)
- How Cybercriminals Choose Their Targets - <http://bit.ly/Nyl905> (Tim Wilson)
- In Microsoft’s New Browser, the Privacy Light Is Already On - <http://nyti.ms/NxbZRF> (Natasha Singer)
- Inside Exchange 2013 Part 4 – Deprecated Features – <http://bit.ly/OZ7vAv> (Casper Manes)
- Interesting Social Media Site - <http://bit.ly/Q6bzic> | Social Networking Privacy Experiment (David Horrigan)
- Legal Nerdvana: Using Technology to Get Ahead - <http://bit.ly/Nxbjf5> (Adam Losey)
- Malware May Be Preinstalled On Your Computer - <http://bit.ly/QfnmL8> (Beverly Michaelis)
- Move to the Cloud: A Taneja Group eBook - <http://bit.ly/Qipkuo> (Christine Taylor)
- NLRB Publishes First Social Media Decision – <http://bit.ly/OZ5tQS> (Ashley Post)
- Proposed Privacy Law Amendments: Senate Judiciary Committee Fails to Take Up ECPA and VPPA Amendments – <http://bit.ly/QfnaLT> (Karen Johnson)
- Robots May Soon Replace Lawyers to Rule the Legal Industry - <http://bit.ly/SkLXO4> (Andrew Lu)
- The State of the Art in Records Management – Part 2 - <http://bit.ly/QikU6J> (Mark Mandel)
- Virtualization, Deduplication, And Rat Brains? <http://bit.ly/Nzxcu2> (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

- 17a-4 llc Announces Phyllis L. Elin Joins Firm to Expand Information Governance Services – <http://bit.ly/OZ80dL> (PR Web)
- AccessData Releases Mobile Phone Examiner Plus 5.0 - <http://yhoo.it/Q7Zc5e> (Business Wire)
- ALM Acquires Silicon Valley’s RivalEdge - <http://bit.ly/O16fkG> (Monica Bay)
- Applied Discovery to Deliver Legal Hold Services - <http://mwne.ws/Nzxq4w> (Marketwire)
- Belkasoft Releases v.5.0 Featuring Blackberry Backup Analysis – <http://bit.ly/OZ5Tqq> (Announcement)
- BIA Beefs Up Legal Hold for Enterprises – <http://bit.ly/OXIshd> (Evan Koblentz)
- Catalyst Honors Asia eDiscovery Specialist Ji2 as ‘Summit Partner’ - <http://yhoo.it/Q7ZitN> (PR Newswire)
- D4 Broadens Relationship with AccessData by Becoming a Summation Pro Hosting Partner - <http://bit.ly/Q80nS9> (Press Release)
- Daegis No Longer Faces Delisting - <http://bit.ly/OX6Z67> (Sacramento Business Journal)
- Digital Technology Leadership Series – Andrew Sieja | Built In Chicago - <http://bit.ly/SwXdqO> (Adam Calica)
- DTI Expands Document Review and Legal Staffing Capabilities through Providus Acquisition – <http://bit.ly/PSsDv2> (Press Announcement)
- 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)
- Excel Micro Announces Partnership With Sonian – <http://bit.ly/OXHQIt> (PR Web)

- Firmex Announces Major Product Upgrade Set to Redefine Virtual Data Room Expectations – <http://bit.ly/PzeCkb> (PR Web)
- Global Legal Discovery Signs Elite Partner Agreement With AccessData - <http://bit.ly/NrQ8Lc> (@LegalIT)
- Guidance Software Debuts First Touch Screen, Modular Forensic Imager - <http://bit.ly/NzAvBy> (Business Wire)
- Guidance Software, EMC unit to Collaborate on Cyber Security Offerings – <http://yhoo.it/OZ901B> (Yahoo Finance!)
- How to Properly Prepare for a Meet-and-Confer Session | Xerox eDiscovery Talk - <http://bit.ly/NzNXFF> (Serena McNally)
- iDiscovery Solutions Offers New In-House Educational Programs on e-Discovery and Data Management – <http://bit.ly/T0x8a0> (Press Release)
- ILTA12: eDiscovery Trends - <http://bit.ly/Q5JIUU> (Katey Wood)
- InterLegis Announces Free Standalone Early Case Assessment Module - <http://bit.ly/SaUu6k> (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/PlcDQg> (Monica Bay)
- MarketCounsel Sells MailBanc Messaging Unit to Global Relay – <http://bit.ly/OXGygv> (John Sullivan)
- Never Forget Where You Came From (And What You Sat On) <http://bit.ly/Qr6iSY> (David Zax)
- Nexidia Announces General Availability of Next-Generation Interaction Analytics Software - <http://bit.ly/NxtJMw> (Press Release)
- Online Storage Startup SkyDox Buys WorkShare - <http://bit.ly/SaXIXq> (Evan Koblentz)
- OrcaTec Announces Another Search Patent Usable in eDiscovery - <http://bit.ly/SZcaZb> (PR Web)
- 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://prn.to/QEPqdu> (PR Newswire)
- Recommend's Enterprise Roots - <http://bit.ly/QgZiHK> (Christine Taylor)
- RegEd Announces Agreement To Acquire Arkovi - <http://bit.ly/Ny54rf> (Announcement)
- RSA and Guidance Software to Collaborate On Automated Cyber Security Incident Response - <http://yhoo.it/NxsCwk> (Business Wire)
- “Southend-on-Sea Uses ArchiveOne® to Optimise 2,300 Staff Mailboxes” <http://bit.ly/PSqZK4> (Press Release)
- Talent and Technology: Complete Managed Review From OrangeLT™ - <http://bit.ly/GR5Jv0> (@OrangeLT)
- The Recorder Names DiscoverReady Best Predictive Coding Solution in California - <http://bit.ly/Nzwhly> (Press Release)

## 2012 eDiscovery Events

### SEPTEMBER

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

September 21, 2012

Chicago, IL

[Click here for more information.](#)

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

September 23-25

Chicago, IL

[Click here for more information.](#)

**Conference for Preservation Excellence**

September 27-28, 2012

Portland, OR

[Click here for more information.](#)

**ACC Annual Meeting**

September 30 – October 3, 2012

Orlando, FL (Booth #422)

[Click here for more information.](#)

**OCTOBER**

**Masters Conference 2012**

October 8-10, 2012

Washington, DC

[Click here for more information.](#)

**Storage Networking World (SNW)**

October 16-19, 2012

Santa Clara, CA

[Click here for more information.](#)

**EDRM 2012 – 2013 Mid Year Meeting**

October 17-18, 2012

St. Paul, MN

[Click here for more information.](#)

**EDI Leadership Summit 2012**

October 17 – 19, 2012

Fort Lauderdale, FL

[Click here for more information.](#)

**Gartner Symposium/ITxpo**

October 21-25, 2012

Orlando, FL

[Click here for more information.](#)

**Corporate Compliance & Ethics Forum**

October 28-30, 2012

Palm Beach Gardens, FL

[Click here for more information.](#)

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

October 29, 2012

Philadelphia, PA

[Click here for more information.](#)

**NOVEMBER**

**eDiscovery for Financial Services & Governmental Investigations**

November 5-6, 2012

New York, NY

[Click here for more information.](#)

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

November 8, 2012

London, United Kingdom

[Click here for more information.](#)

**Corporate Litigation Forum**

November 11-13, 2012

San Antonio, TX

[Click here for more information.](#)

**LawTech Europe Congress**

November 12, 2012

Prague, Czech Republic

[Click here for more information.](#)

**The Litigation Summit and Exposition**

November 12-13, 2012

Washington, DC

[Click here for more information.](#)

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

November 15, 2012

London, United Kingdom

[Click here for more information.](#)

**Information Governance & eDiscovery Strategy**

November 27-29, 2012

Munich, Germany

[Click here for more information.](#)

**DECEMBER**

**Georgetown Law – The Advanced eDiscovery Institute**

December 6-7, 2013

Washington, DC

[Click here for more information.](#)

**2013 Events**

**JANUARY**

**LegalTech New York 2013**

January 29-31, 2013

New York, NY

[Click here for more information.](#)

**FEBRUARY**

**ACEDS 2013 Annual Conference and Exhibition**

February 28 – March 2, 2013

Hollywood, FL

[Click here for more information.](#)

## **MARCH**

### **Legal IT Business Show 2013**

March 5-6, 2013

London, United Kingdom

[Click here for more information.](#)

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

March 21-22, 2013

San Diego, CA

[Click for more information.](#)

## **APRIL**

### **ABA TECHSHOW**

April 4-6, 2013

Chicago, IL

[Click here for more information.](#)

### **Laguna Beach eDiscovery Retreat**

April 10-12, 2013

Laguna Beach, CA

[Click here for more information.](#)

### **2013 ALA Annual Conference and Exhibition**

April 14-17, 2013

Washington, DC

[Click here for more information.](#)

## **MAY**

### **CEIC 2013**

May 19 – 22, 2013

Orlando, FL

[Click here for more information.](#)

### **LegalTech West Coast**

May 21-22, 2013

Los Angeles, CA

[Click here for more information.](#)

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



## About Orange Legal Technologies

OrangeLT™ is a leading provider of electronic discovery litigation, audit, and investigation services for law firms and corporations. Having served over 500 clients since inception and with over 100 clients leveraging the OneO® Discovery Platform since its introduction, Orange Legal Technologies has worked with some of the world's most [well known corporations and law firms](#).

OrangeLT™ offers a complete suite of electronic discovery services, including collection, analysis, processing, review and production of digital and paper-based information. OrangeLT™ is enabled by the OneO® Discovery Platform – an integrated, web-accessible electronic discovery platform that provides online analysis, processing, and review of unstructured data from the security of a hosted centralized repository.

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