

Unfiltered Orange | Weekly eDiscovery News Update – April 24, 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 considerations 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

- Are We on the Cusp of Major Changes to eDiscovery Rules? <http://bit.ly/15mwWr0> (Henry Kelston)
- Changes to Federal eDiscovery Rules Could Be Coming Within a Year – eDiscovery Trends - <http://bit.ly/ZMcXKc> (Doug Austin)
- Clawback Agreements to Eliminate the Burden of Privilege Review - <http://bit.ly/15BdV4a> (Josh Gilliland)
- Court Rules that Ex-Employee Keeps LinkedIn Content and Contacts - <http://bit.ly/15me00q> (Peter Vogel)
- Defining and Driving 'Info Governance' In Era of Cloud and 'Big Data' [@DavidHorrigan](http://bit.ly/1787YcR), Carl Lehmann, [@AlanPelzSharp](http://bit.ly/1787YcR)
- Delaware Court Of Chancery Announces Rule Changes And New Discovery Guidelines - <http://bit.ly/Zi8LGF> (Leo Stine)
- Disputed Search Terms – Beware Of The Booleans! [@ITLexOrg](http://bit.ly/11m4Syw)
- eDiscovery Costs Taxable For “Preparation And Duplication”, Not For “Intellectual Effort” - [@ITLexOrg](http://bit.ly/ZvB5Sa)
- New eDiscovery Guide to Help IT Pros in Gathering Electronic Evidence - <http://bit.ly/11fdrcL> (Gordon Smith)
- NJ Federal Judge Issues Adverse Inference Instruction Due to Plaintiff's Failure to Preserve Facebook Info - <http://bit.ly/15zKpeK> (Gibbons)
- In re: Biomet – Doing the Math on Court Approved Multimodal Review - [@ITLexOrg](http://bit.ly/15C9cze)
- In re: Biomet – Read Both Sides' Predictive Coding Memos - [@ITLexOrg](http://bit.ly/11AO5rF)
- “Inadequate” Litigation Holds Can Result in Spoliation Sanctions (PDF) <http://bit.ly/Z2P7y5> (Bryan Cave)
- Indiana Federal Court OKs Jump-Start on Predictive Coding - <http://bit.ly/11vztet> (Monica Bay)
- Manhattan Court Allows Facebook Service For Foreign Defendants - [@ITLexOrg](http://bit.ly/15BfjUD)
- Math and Statistics for Lawyers When Using Technology-Assisted Review - <http://bit.ly/11uEVOc> (Eric Robinson)
- NY Courts Address eDiscovery Of Social Media Data - <http://bit.ly/14LIaGg> (Brendan Schulman, Samantha Ettari, Lisa Neunder)
- Preservation Duty Triggers: Recent Case Law Adds to the Confusion - <http://bit.ly/ZvmJEA> (Mike Hamilton)
- Reinventing the Wheel: My Discovery of Scientific Support for “Hybrid Multimodal” Search - [@RalphLosey](http://bit.ly/11x65De)
- Spoliation of Social Media Evidence: New Jersey Court Cracks Down | Socially Aware Blog - <http://bit.ly/ZvB9kR> (Emily Hutters)
- The Borg Challenge: The Complete Report - [@RalphLosey](http://bit.ly/ZwNKrd)
- The Ugly Truth About Document Review - <http://bit.ly/15EsOTd> (Sonya Sigler)

- Volume, Expense Insufficient To Show ESI Is Inaccessible, “Rather, The Cost Or Burden Must Be Associated With Some Technological Feature That Inhibits Accessibility - <http://bit.ly/Z9CG3C> (K&L Gates)
- Want to Save Your Metadata in Collection? Robocop(y) to the Rescue! – eDiscovery Best Practices - <http://bit.ly/ZtSG02> (Doug Austin)
- What You Don’t Know About Secure eDiscovery - <http://bit.ly/YK0kjF> (Moti Rafalin)
- Yahoo! Responds to Subpoenas in Good Faith, Immune Under the Stored Communications Act - <http://bit.ly/15Bgsvp> (Tonya Gisselberg)

Levity



Risk

- 3 Recent FCPA Statute of Limitations Lessons - <http://bit.ly/11fe6Lv> (Alexandra Wrage)
- 12 Ways to Achieve Efficiency and Speed in Arbitration - <http://bit.ly/15BeeMq> (Gary McGowen)
- Arbitrator Did Not Exceed His Powers By Awarding Perpetual License In All IP Rights For Video Game – <http://bit.ly/11uObsU> (Jay Yurkiw)
- Are You Ready for Health Care Reform? <http://bit.ly/ZfJTPC> (April Escamilla)
- BYOD Opens Doors for Employers, Employees and Developers - <http://bit.ly/ZvcXIS> (Aamir Lakhani)
- Commissioner Brill to States: Data Brokers Aren’t Going to Regulate Themselves - <http://bit.ly/15r6qNa> (Paul Bond, Christine Nielsen)
- Cyber Security and Data Privacy Outlook and Review: 2013 - <http://bit.ly/172MWfG> (Gibson Dunn)
- Cybersecurity: Selected Legal Issues (PDF) <http://bit.ly/11kAiXt> (Congressional Research Service)
- Data Breach Lawsuits – Revisiting the Risks - <http://bit.ly/11irilo> (Al Saikali)
- European Privacy Regulator Issues Important Opinion on the Use of Apps - <http://bit.ly/11fjAFZ> (Karin Retzer)
- FCPA: Statute of Limitations for Civil Enforcement Actions – <http://bit.ly/11uQzqc> (Deming PLLC)
- Just Do It: Encrypt Portable Electronic Media Devices - <http://bit.ly/Z2NvVe> (Linda Turner)
- How to Protect Against Outside Counsel Overbilling - <http://bit.ly/15DRGdV> (Steven Barentzen)
- Limiting Litigation Risks from Privacy and Data Security Missteps - <http://bit.ly/12m6GtE> (@HLPrivacy)
- RICO Causation: Regression Analysis Aggregate Evidence Satisfies Daubert – Shifting Burden of Proof - <http://bit.ly/15BdyXv> (Gregory Joseph)
- SEC Releases Guidance On Application Of Regulation FD To Social Media Channels - <http://bit.ly/170VnYX> (Akin Gump)
- She Posted What? Increased Legal Scrutiny For Using Social Media in Hiring Decisions – <http://bit.ly/15oXw2T> (Aaron Lubely, Candace Bertoldi)
- The Year in Hacking, by the Numbers - <http://nyti.ms/ZMcPKD> (Nicole Perlroth)

- US Cloud Providers' Safe Harbor Guarantees Do Provide Adequate Data Protection to EU Businesses - <http://bit.ly/ZJ9iwG> (Pinsent Masons)
- Why You Should Register Domain Name Before Publicly Announcing the Marketing Phrase – <http://bit.ly/ZtPQrN> (Evan Brown)

Resources

- April Edition of Notable Cases and Events in eDiscovery (PDF) <http://bit.ly/ZtOLOK> (Sidley Austin)
- Codes of Conduct for Multinational Corporations: An Overview (PDF) <http://bit.ly/11knnm6> (James Jackson)
- Formal Opinion 2012:2 – Jury Research and Social Media - <http://bit.ly/YK27Fs> (New York City Bar)
- Good Practice Guide to eDiscovery in Ireland - <http://bit.ly/11i9HJ3> (eDiscovery Group of Ireland)
- Kramer Levin Electronic Discovery Update – Spring 2013 - <http://bit.ly/Z6MjA2> (Kramer Levin)
- Social Media Use by In-House Counsel at All-Time High – 2013 <http://bit.ly/Zg3JKD> (Adrian Dayton)

Senses

- Cartoon: Email Etiquette? <http://bit.ly/17nruiQ> (@OrangeLT)
- InfoGraphic: The Critical Role of Information Technology in the Enterprise - <http://bit.ly/Zx9Eat> (Amir Lakhani)
- Video: How GCs Use Social Media to Hire Law Firms - <http://bit.ly/15BjYpm> (Bloomberg Law)
- Video: Ron Hedges on Hot E-Discovery Issues - <http://bit.ly/12m6YRv> (Monica Bay)
- Video Series: Information Governance Series with Barclay T. Blair - <http://bit.ly/Zr2uaX> (@BTBlair)

Technologies

- 5 Steps to Acquiring New Legal Technology - <http://bit.ly/13pYYBy> (John Edwards)
- A Primer on IPv4, IPv6 and Transition - <http://bit.ly/11uKpZA> (Geoff Huston)
- Apple Siri Keeps Data 2 Years! <http://bit.ly/ZfKpx3> (Peter Vogel)
- Big Data, Analytics And Cloud Drive Enterprise Software Growth - <http://bit.ly/11xdRNk> (BizTEch2)
- CIOs: Masters of the Reformation – <http://bit.ly/175nCWp> (Tom Jenkins)
- Electronic Messages That Vanish Without a Trace - <http://bit.ly/15zjgZF> (David Hechler)
- Google Offers Life Support For Old Internet Explorer Versions - <http://ubm.io/15mfNhb> (Thomas Claburn)
- How to Sever Ties to Social Networks and Other Web Sites - <http://nyti.ms/ZtTEcv> (Azadeh Ensha)
- iOS 6.1 Microsoft Exchange Error – <http://bit.ly/177NQYv> (Jacob Rede)
- Is it Wise to Cut Email Security Costs? <http://bit.ly/ZwMuV5> (Jeff Orloff)
- Questions About the Robustness of Mobile Networks - <http://bit.ly/15BezyO> (Paul Budde)
- Over 80 European Organizations Demand Protection for Net Neutrality - <http://bit.ly/Zy5XBr> (CircleID)
- Saying “No” to the Cloud May be an Early Indicator of Digital Darwinism for You or Your Business - <http://bit.ly/175nWoj> (Jerome Wendt)
- The Role Of DRAM In Storage - <http://ubm.io/11bY5Wx> (George Crump)
- There's a New Judge in the Legal Industry: Big Data in Law Firms - [@BizTechMagazine](http://bit.ly/11y5PDU)

2013 Events

APRIL

Document Strategy Forum

April 29 – May 1, 2013

Greenwich, CT

[Click here for more information.](#)

LawTech Futures

April 30, 2013

London, UK

[Click here for more information.](#)

MAY

Information Governance & eDiscovery Strategy Exchange

May 5-7, 2013

San Diego, CA

[Click here for more information.](#)

Inside Counsel – 13th Annual Super Conference

May 6 – 8, 2013

Chicago, IL

[Click here for more information.](#)

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.](#)

MER '13 – The National Conference on Managing Electronic Records

May 20 – 22, 2013

Chicago, IL

[Click here for more information.](#)

LegalTech West Coast

May 21-22, 2013

Los Angeles, CA

[Click here for more information.](#)

JUNE

The Fifteenth Annual International Techno Security Conference

June 2-5, 2013

Myrtle Beach, SC

[Click here for more information.](#)

7th Annual Governance and eDiscovery Summit

June 12-13, 2013

Sydney, Australia

[Click here for more information.](#)

International Conference on Artificial Intelligence and Law

June 10 – 14, 2013

Rome, Italy

[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

EDRM 2013-2014 Midyear Meeting

October 9-11, 2013

Saint Paul, MN

[Click here for more information.](#)

ACEDS 2013 Corporate E-Discovery Summit

October 10-11, 2013

San Francisco, CA

[Click here for more information.](#)

Innovate

October 17-18, 2013

Orlando, FL

[Click here for more information.](#)

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.](#)

NOVEMBER

KMWorld 2013

November 6-8, 2013

Washington, DC

[Click here for more information.](#)

The Advanced eDiscovery Institute

November 21-22, 2013

Washington, DC

[Click here for more information.](#)

For Complete Events Calendar Visit – [Click here.](#)



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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