

ComplexDiscovery | Weekly eDiscovery Top Story Digest

November 20, 2013



Compiled by [@ComplexD](#) from online public domain resources, provided for your review/use is this week's update of key industry news, views, and events highlighting key electronic discovery related stories, developments, and announcements.

An information source for eDiscovery and information management professionals since 2010, the *eDiscovery Top Story Digest* is published weekly on the [ComplexDiscovery](#) blog and is also available via [email subscription](#).

Weekly eDiscovery Top Story Digest Update



eDiscovery Now for Legal Professionals

Providing legal professionals with a weekly overview of the latest developments, opinions and news in the field of eDiscovery.

- Can You Use Pre-Suit Discovery to Unmask an Anonymous Blogger in Texas?" <http://bit.ly/HKyQlj> (Travis Crabtree)
- Cloudy, with a Chance of eDiscovery - <http://bit.ly/18JnKua> (Bill Tolson)
- Cooperation in Practice: Georgetown Institute 2013 | Ball in Your Court - <http://bit.ly/1hWM0m6> (Craig Ball)
- EDI-Oracle Study: Humans Are Still Essential in #eDiscovery – <http://bit.ly/1hWRjC8> (Monica Bay)
- Facebook — Authentication of Page and Attribution to Specific Person - <http://bit.ly/18IIB0I> (Joseph Hage Aaronson)
- How Document Viewing is Key to Effective eDiscovery in the Legal Market – Innovation Insights - <http://wrd.cm/1hNPptC> (Ned Averill-Snell)
- FINRA Requests Data on Member Firms' Social Media Use - <http://bit.ly/139aGH> (Ernest Badway)
- FINRA's New 'New' Discovery Guide: eDiscovery, Affirmations and Product Cases - <http://bit.ly/1hWOm4m> (Michael Pastore, Scott Rahn)
- High Court Steps in to Correct Inadvertent Discovery of Privileged Documents in Litigation – <http://bit.ly/1hWOYah> (King & Wood Mallesons)
- How Solid State Storage Technologies Are Impacting eDiscovery and Data Recovery - <http://wrd.cm/1gN6uwd> (Chris Bross)
- IBM Preps Artificial Intelligence in Cloud, and eDiscovery asks “Can we have a Bite?” <http://bit.ly/18PeOn9> (Gregory Bufithis)

- LEDES Moves Closer to Standardizing Codes for Governance, Risk, Compliance - <http://bit.ly/18ve7iC> (Victor Li)
- Legal Search Science - <http://bit.ly/18Iz9KJ> (Ralph Losey)
- Mobile Device eDiscovery: Can Your iPhone Keep a Secret? <http://bit.ly/189RbZK> (@CMSWire)
- Online Dating Profiles Can Be Used as Evidence - <http://bit.ly/18pTnIV> (Marlisse Silver Sweeney)
- Proposed Amendments to the Federal Rules Provide Some Relief from the Fear of Sanctions in ESI - <http://bit.ly/1fB9BUU> (Wilson Elser)
- Proposed eDiscovery Rules Would Provide for an Unfair Imbalance - <http://bit.ly/1fzoZRv> (John Hopkins)
- Rule 26: Proportionality and Cooperation – Yes, It Is Possible and Pretty Soon Will Be Required - <http://bit.ly/139YLS> (@XactData)
- Subject Matter Experts: What Role Should They Play in TAR 2.0 Training? <http://bit.ly/18IGHNo> (John Tredennick)
- The Effectiveness of Technology Assisted Review – FindLaw - <http://bit.ly/1gN69cT> (Caitlin Murphy)
- The Evolution Of Data Migration: From An E-Discovery Challenge To A Comprehensive Business Process - <http://bit.ly/1aBJk74> (Adam Rubinger)
- The Impact of IBM’s Watson on eDiscovery – <http://bit.ly/1hWOGA7> (Ron Friedmann)
- The Next Regulatory Challenge: The Dodd-Frank Act | Xerox E-Discovery Talk - <http://bit.ly/HRZ8sf> (John Finlay)
- The Ubiquitous Apple Samsung Case and “Patentgate” – eDiscovery Case Law - <http://bit.ly/137EUW> (Doug Austin)
- Triangulating Discovery Productions | Bow Tie Law’s Blog - <http://bit.ly/18JnoUi> (Josh Gilliland)
- Using Technology Assisted Review in the Right Cases and in the Right Way - <http://bit.ly/183MzGM> (John Eustice)



Actionable Intelligence for In-House Counsel

Providing in-house counsel with a weekly overview of significant legal and technology-related stories centered around the corporate risk topics of compliance, information governance, privacy and security.

- Amendments to China’s Consumer Protection Law Add Compliance Obligations when Handling PI - <http://bit.ly/1fBdMju> (Steve Spagnolo, Jun Wei)
- California’s New ‘Digital Eraser’ Evaporates Embarrassment - <http://bit.ly/18LUEdD> (Alexander Southwell)
- Companies Get More Wiggle Room on Soured Deals – The CFO Report – <http://on.wsj.com/1hFovxL> (Emily Chasan, Maxwell Murphy)
- Concern for Environmental, Social and Governance Issues - <http://bit.ly/1gN8CE1> (Marlisse Silver Sweeney)
- Corporate IT: The Rise of the ‘Technology Broker’ | CEB Blogs - <http://bit.ly/1hUyEGS> (Mark Tonsetic)
- Employee Medical Exams and the Law – How Much Do You Know? <http://bit.ly/1gW81Ab> (Robin Shea)
- FERC’s New Approach to Market Manipulation | Subject to Inquiry – <http://bit.ly/1fBgN3i> (Christopher McEachran)
- Former Employee Defames Employer with Website – <http://bit.ly/1hFrSVp> (Tom Crane)
- Global Privacy Enforcement Network Conducts International Privacy Sweep - <http://bit.ly/1hFv1Vo> (Cynthia O’Donoghue)
- How to Prove a Business Interruption Loss - <http://bit.ly/1bMrbof> (Gene Killian)
- In Non-Compete Litigation: It Helps to Remember that Florida Protects “Substantial” Customer Relationships - <http://bit.ly/1bINWJu> (Jason Cornell)
- Increased Regulation Drives Demand For Forensic Accounting Services - <http://bit.ly/1gW7ONe> (Steven Henning, Yasmine Misuraca)
- Is the Cloud Right for My Firm? – Law Technology Today - <http://bit.ly/1hpg6Yk> (Pageen Turner)
- Is Your Disaster Plan Good Enough? <http://bit.ly/1hFhwVI> (Angela Hunt)
- Locking Down Legal Problems in a Global Supply Chain – <http://bit.ly/18IBaXa> (Rebekah Mintzer)

- New Strategies in the Battle Against IP Theft - <http://bit.ly/18JScUT> (Rob McKenna)
- S.E.C. – Deploying the Full Enforcement Arsenal - <http://bit.ly/13anhj> (James Bone)
- Social Media Risk Management Must be a Team Effort - <http://bit.ly/1h0dRQZ> (Jan Hertzberg)
- Software-Defined Solutions May Only Take Companies Back in Time - <http://bit.ly/189Tb4l> (Jerome Wendt)
- Tackling The Growing Data Regulation Headache: Practising Good Information Governance - <http://bit.ly/1h0eA4K> (Lynn Collier)
- The Chief Reality Officer: Crafting A New Title For Legal Department Operations Managers - <http://bit.ly/18LWUSe> (Mike Haysley)
- The Cost Of A Data Breach: The Health Care Perspective - <http://bit.ly/1bMrPC0> (Luis Diaz, David Crapo)
- The Ramifications of a Security Breach | @InfoLawGroup - <http://bit.ly/18LVg2K> (Scott Koller)
- Three Security Trends You Can't Escape in 2014 - <http://bit.ly/1gNabls> (Moti Rafalin)
- What Service Providers' Security Audits And Certifications Mean For Corporate Counsel - <http://bit.ly/18LWMBZ> (Nyi Htwe)
- What To Look For In An ELM Provider - <http://bit.ly/1bMsnbl> (Rob Thomas)



Vendor Clips for eDiscovery Practitioners

Providing eDiscovery practitioners with a weekly overview of relevant legal technology news and announcements as shared by industry vendors and commentators.

- A Cloud Computing Forecast Summary for 2013 – 2017 from IDC, Gartner and KPMG, Written by @AppsCare - <http://bit.ly/18IEOQP> (PR Web)
- Adobe Sued Over Latest Data Breach - <http://bit.ly/1bIGYo7> (Max Taves)
- Amazon Gets Serious About Cloud Analytics With PostgreSQL, Stream Processing | @SiliconANGLE - <http://bit.ly/1382mv> (Maria Deutscher)
- After N.S.A. Disclosures, Yahoo Moves to Encrypt Internal Traffic - <http://nyti.ms/18LVIOI> (Nicole Perlroth)
- Archiving Anyone? 50+ Enterprise Archiving Vendors - <http://bit.ly/18fsxH5> (@ComplexD)
- Bernstein Litowitz Berger & Grossmann LLP Installs Relativity In-House - <http://bit.ly/1hUsK8R> (Press Release)
- Bringing the Right Tools and Methods to eDiscovery Madness | e-Disclosure Information Project - <http://bit.ly/1i5CZoi> (@ChrisDaleOxford)
- Browning Marean to Deliver Keynote at 2nd Annual New Zealand eDiscovery Conference - <http://bit.ly/18JY1Sq> (@eDiscoveryNZ)
- CA Technologies Settles for \$11 Million in Qui Tam Whistleblower Lawsuit for Billing Fraud - <http://bit.ly/1hPyi4m> (The National Law Review)
- “Catalyst and LSI Colorado Team Up to Bridge E-Discovery Gap for Western Law Firms and Corporations” <http://yhoo.it/1fzo97n> (@Marketwired)
- CloudLock Extends World's Most Trusted Data Security and Compliance Solution to Salesforce - <http://on.mktw.net/19CzCO0> (@Marketwired)
- Considering Technology: Computer-Assisted QC Analysis - <http://bit.ly/17Um729> (@OrcaTec)
- D4 Honored as One of Rochester's Top 100 - <http://bit.ly/1dlbovM> (Press Release)
- Daegis Inc. to Announce Fiscal 2014 Second Quarter Results on December 3, 2013 - <http://on.mktw.net/1gRE5oz> (@Daegis)
- Digital Engagement Study: Investors and Influencers - <http://bit.ly/1au4Qub> (FTI Consulting)
- Disaster Recovery Solution? Backing Up the Backup - <http://bit.ly/1fB4MLa> (Jeremy Suratt)
- Dr. Michael Levitt: World Famous Scientist, Nobel Laureate, and X1 Power User - <http://bit.ly/183M3Zj> (John @Patzakis)
- DTI Announces 30 Relativity Certified Administrators on Staff – Digital Journal - <http://bit.ly/1fzoLKm> (Press Release)
- “EDRM Publishes Metrics Glossary” <http://bit.ly/1fznpPM> (Tom Gelbmann)

- Elijah Expands Product Suite to Include XERA - <http://bit.ly/18LZWWt> (Press Release)
- EMC Sues 44 Former Employees - <http://bit.ly/1hPxGvH> (Peter Cohan)
- Epiq Systems Hires New Client Services Director - <http://bit.ly/1gN5TKT> (NASDAQ)
- eTERA Consulting Promotes Sam Morgan to Global Managing Consultant, Discovery/EDRM - <http://bit.ly/19CyjyK> (PR Web)
- FTK vs. @EnCase - Numbers Don't Lie - <http://bit.ly/1hFmBNx> (@AccessDataGroup)
- GlobalRelay is a Leader in Gartner Magic Quadrant for Enterprise Information Archiving 2013 - <http://bit.ly/HWXvJW> (PR Web)
- Guidance Software Announces Industry-first Integration Between @EnCase eDiscovery and Box - <http://on.mktw.net/1assTJZ> (Business Wire)
- Huron Legal Gets New Managing Director - <http://bit.ly/1gN9bxK> (Katherine Montgomery)
- IBM: Employers Could Use Personality Profiling Technology to Analyse Tweets - <http://dailym.ai/18fu3sN> (The Daily Mail)
- IBM Will Soon Let Developers Run Apps On Watson, Its Smart-As-A-Human Computer (IBM) - <http://bit.ly/133IUb> (Julia Bort)
- iDiscovery Solutions Adds Electronic Evidence, Data Analysis, and Computer Forensics Expert - <http://bit.ly/1gN5A2E> (PR Web)
- Importance of NoSQL to Discovery - <http://bit.ly/1gY4TUi> (John Myers)
- Information Governance Gap Revealed Across US and UK Companies - <http://bit.ly/1arBmgA> (@Marketwired)
- Ipro Tech, Inc. Announces Release of Eclipse SE 2013.1 – Yahoo Finance - <http://yhoo.it/1hFnYMe> (@Marketwired)
- kCura Named to The Chicago Tribune Top Workplaces List for Third Consecutive Year - <http://bit.ly/189X2hl> (Press Release)
- Kilpatrick Stockton Hires Attorney to Manage eDiscovery Services - <http://bit.ly/1hPxYm8> (Richard Craver)
- NetApp sues Rival over Employee Poaching | @SiliconANGLE - <http://bit.ly/1fBadd1> (Maria Deutscher)
- Nuix and ADF Solutions Partner to Deliver Scalable Digital Forensic Workflows for Investigators - <http://bit.ly/19CyWs2> (Business Wire)
- Open Text Launches Semantic Navigation - <http://bit.ly/18LV7fO> (Press Release)
- Personal Storage Market Growing - <http://bit.ly/1h0bj5l> (Channel Pro)
- Precision Discovery Acquires DataClues - <http://bit.ly/1j1X9gH> (PR Newswire)
- Precision Discovery moving California Operations to Denver Tech Center; Hiring Planned - <http://bit.ly/17uXLM3> (Dennis Huspini)
- Predictive Coding Making the Impossible Possible - <http://bit.ly/189YS2b> (@OrcaTec)
- Professional Services and Sales Teams Bolstered by New Personnel at LDM Global - <http://bit.ly/18vaSaJ> (PR Web)
- Salesforce.com Making Business Software More Social - <http://nyti.ms/1gXXzIm> (Quentin Hardy)
- Symantec: New Named Accounts For Top Partners, Incentives For Smaller VARs - <http://bit.ly/1aqdCJD> (Robert Westervelt)
- Staking out Twitter and Facebook, New Service Lets Police Poke Perps - <http://bit.ly/1gN7GzJ> (Sean Gallagher)
- The Advanced eDiscovery Institute — 11/21-22/13 – Georgetown Law - <http://bit.ly/131xjz> (@GeorgetownCLE)
- Tracking Social Media for eDiscovery / eDisclosure Purposes – <http://bit.ly/1h0Qqab> (@ChrisDaleOxford)
- UBIC: A Service For Corporate Counsel That Helps Them Cope With Big Data And Other Challenges - <http://bit.ly/1bMrEqw> (Paul Starrett)
- UBIC, Inc. Reports Unaudited Fiscal Year Second Quarter ended September 30, 2013 Financial Results - <http://on.wsj.com/1eNfBw5> (WSJ)
- Veritext Exhibit Management Solution Awarded Patent - <http://bit.ly/1hEUP3Z> (PR Web)



Industry Conferences, Events and Meetings

Providing industry professionals a non-all inclusive listing of key industry educational conferences, events and meetings.

NOVEMBER

The Advanced eDiscovery Institute

November 21-22, 2013

Washington, DC

[Click here for more information.](#)

DECEMBER

Governance, Risk & Compliance 2013

December 4-5, 2013

Orlando, FL

[Click here for more information.](#)

ESI Roundtable – eDiscovery Case Law Update (CLE)

December 6, 2013

Atlanta, GA

[Click here for more information.](#)

E-Discovery for Corporate Market Conference

December 11 – 12, 2013

Los Angeles, CA

[Click here for more information.](#)

2014

JANUARY

Information Governance, Electronic Discovery and Digital Evidence 2014

January 28-31, 2014

Tampa, FL

[Click here for more information.](#)

FEBRUARY

LegalTech New York, 2014

February 4-6, 2014

New York, NY

[Click here for more information.](#)

MARCH

LegalTech Asia Summit

March 3, 2014

Hong Kong

[Click here for more information.](#)

E-Discovery Conference for the Small and Medium Case

March 14, 2014

University of Florida, Levin College of Law

[Click here for more information.](#)

2nd Annual New Zealand eDiscovery Conference

March 14, 2014

Auckland, New Zealand

[Click here for more information.](#)

ABA TECHSHOW

March 27-29, 2014

Chicago, IL

[Click here for more information.](#)

APRIL

2nd Annual Consortium on Litigation, Information Law and E-Discovery

April 20, 2014

New York, Chicago, San Jose

[Click here for more information.](#)

MAY

The 14th Annual Super Conference (Inside Counsel)

May 12-14, 2014

Chicago, IL

[Click here for more information.](#)

FOSE

May 13-15, 2014

Washington, DC

[Click here for more information.](#)

Access Data User's Conference

May 13-16, 2014

Las Vegas, NV

[Click here for more information.](#)

AUGUST

ILTA 2014

August 25-28, 2014

Nashville, TN

[Click here for more information.](#)

OCTOBER

Relativity Fest

October 12-15, 2014

Chicago, IL

[Click here for more information.](#)



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