

ComplexDiscovery | Weekly eDiscovery Top Story Digest

June 26, 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 Issues

- A Dogged Pursuit of Direct Access Poses Risks to Counsel - <http://bit.ly/18876bx> (Craig Ball)
- Aaron Hernandez, Obstruction of Justice and ESI - <http://bit.ly/14dLzsg> (Andrew Hinkes)
- Adverse Inferences: When is an Adverse Inference Instruction Not a Sanction? <http://bit.ly/17BZkYl> (K&L Gates)
- Big Data: The Elephant In The E-Discovery Room - <http://bit.ly/176Q4HP> (Julian Ackert)
- Chain, Chain, Chain: Chain of Custody - eDiscovery Best Practices - <http://bit.ly/11VFJcu> (Doug Austin)
- Circuit Finds Blogger Issued 'True Threat' Against Judges - <http://bit.ly/1a6Fvbx> (Mark Hamblett)
- CMC Inquiry Highlights Need to Put Digital Discovery in Context - <http://bit.ly/11pkkN9> (Allison Stanfield)
- Conducting Traditional Relevance Analysis, Court Denies Full Access to Plaintiff's Social Networking Accounts - <http://bit.ly/181lqv5> (K&L Gates)
- Data Collection In A Social Media World - <http://bit.ly/17szSUY> (Daniel Roffman)
- eDiscovery Education Options Revealed - <http://bit.ly/14sbsok> (David Kearney)
- EDRM Publishes New Metrics Model - <http://bit.ly/14le3R7> (PRLog)
- Electronic License Plates and the Constitutionality of Location Tracking - <http://bit.ly/17a6C1A> (Andrew Hinkes)
- Electronic Discovery Vendor to Expert - It Is All About Trust - <http://bit.ly/14UPddj> (Danielle Bethea, David Herman)
- Fishing Expedition Discovers Laptop Cast into Indian River | E-Discovery Law Today - <http://bit.ly/1chnDY4> (@RalphLosey)
- InfoGraphic: Cox - No Spoliation Sanction If The Evidence Does Not Support Your Case - <http://bit.ly/1a4ibLu> (@LuciDataInc)
- John Tredennick's Bryan University eDiscovery Class Commencement Address - <http://bit.ly/17xVmjk> (@CatalystSecure)
- Latest Trends And Best Practices In Managing Outside Counsel - <http://bit.ly/1a441Kr> (Dan Juckniess)
- "Not Me", The Fallibility of Human Review - eDiscovery Best Practices - <http://bit.ly/11Osn1B> (Doug Austin)
- Outing Criminal Trial Witnesses On Facebook: Protected By First Amendment | @ITLexOrg - <http://bit.ly/1aab6Jh> (Joy Chindamo)

- Proposed Amendments to the Federal Rules of Civil Procedure: What the Future Holds and Why the Potential Changes Matter Today - <http://bit.ly/12aJfU1> (Maureen O'Neill)
- Prosecutions Involving Social Media Evidence (Canadian Law) - <http://bit.ly/1aafPuy> (Simon Chester)
- Should Predictive Coding Protocols Come with Measures of Content Diversity - <http://bit.ly/19Sq3jb> (Gerard Britton)
- Technology-Assisted Review: From Expert Mentions to Mainstream Coverage – [@ComplexD](http://bit.ly/1clNhuW)
- The Seven Tough Questions You Need To Ask Before Choosing A Technology Vendor - <http://bit.ly/180uBU4> (Jim McGann)
- To Catch A Thief: Forensic Experts Weigh In On The Fraudster Profile - <http://bit.ly/149W9AA> (David Glusman, Frank Rudewicz)
- Vendors Can Be On The Hook For E-Discovery Delays Too - <http://bit.ly/1cahddq> (Samir Mathur)
- When Should Data Underlying Scientific Studies Be Discoverable? <http://bit.ly/146hgDX> (William Ruskin)
- Worldwide eDiscovery Software and Services Overview - [@ComplexD](http://bit.ly/17pgDvv)

Corporate Risk

- Australian Government Shelves Data Retention Plans - <http://zd.net/175nPcG> (Josh Taylor)
- Buyer Beware: Important “Supply” Issues For Life Science Companies - <http://bit.ly/14RbEjp> (Lori Waldron)
- Corporate Counsel Group Offers Courts a Lesson in How Legal Departments Operate - [@LexisNexis](http://bit.ly/14sdiWf)
- Corporate Governance, Incentives, and Tax Avoidance - [@HarvardCorpGov](http://hvr.me/1bZPQCL)
- Crisis Management And Disaster Recovery: For Experienced Forensic Advisors - <http://bit.ly/1chpzA3> (Troy Dahlberg, Douglas Farrow, Ginger Menown)
- Current Account: Cyberattacks Are Banks’ Latest ‘Existential Risk’ - <http://on.wsj.com/17adSKY> (Francesco Guerrera)
- Cybersecurity, Bribery Top Topics in SEC Filings - <http://bit.ly/11rjDTt> (Catherine Dunn)
- Do Businesses Own Their Employees Social Media? What About Their Fans? Legal Considerations – <http://bit.ly/11UcEht> (Colin O’Keefe)
- Employees Fired For Photos on Social Media Is Old News as Facebook Introduces Video on Instagram - <http://bit.ly/125N2Cy> (Sara Jodka)
- English Version of Proposed French Privacy Tax Report Available - <http://bit.ly/14kL5AA> (Winston Maxwell, Xenia Legendre)
- Financial Fraud Specialists at the SEC – <http://bit.ly/1clLdmC> (David Smyth)
- Financial Times CIO Manages Media Shifts Inside and Out - <http://bit.ly/11VAvxk> (Mark Chillingsworth)
- FINRA Issues Sweep Letter Regarding Use of Social Media - <http://bit.ly/11NXVoo> (Morrison & Foerster)
- FINRA Social Media Spot Checks Will Continue; Firms Should Be Prepared - <http://bit.ly/17xVShm> (Chad Bockius)
- Five Reasons to Throw Your Data Away - <http://dthin.gs/1a6NFAC> (Bob Tennant)
- Fixing Outside Counsel Budget Forecasting With Data - <http://bit.ly/11OtJLl> (Grace Tatter)
- FTC v. Actavis: What Does It Mean for Reverse-Payment Settlements? <http://bit.ly/17yiX3i> (Bradley Graveline, Jennifer Driscoll-Chippendale)
- Hashtagging Away Your Rights: Privacy and Publicity Rights in Social Media - <http://bit.ly/1bZTe0k> (Sheppard Mullin)
- Jurisdiction Issues in Global Intellectual Property - <http://bit.ly/16Q8yff> (Jason Coomer)
- Lawyers Must Be Aware of Representations Made to Public with Social Media Marketing: Al Harrison - <http://bit.ly/11Ucx5E> (Colin O’Keefe)
- Metrics That Every Legal Departments Should Track: Outside And Inside Spending As A Percentage of Company Revenue - <http://bit.ly/11VRXBN> (Patrick Johnson)
- Nevada Becomes State #11 to Enact Social Media Password Protection Legislation - <http://bit.ly/17tNQWE> (Philip Gordon)
- New Copyright Laws Give Researchers Right to Conduct ‘Electronic Analysis’ of Copied Content - <http://bit.ly/12ggiuk> (Pinsent Masons)
- OECD Data: Anti-Bribery Enforcement Slowly Rising - <http://bit.ly/16TgDjR> (Jaclyn Jaeger)

- Situational Awareness and In-house Counsel Technology | In-house Access - <http://bit.ly/1a46Jj8> (Fred Krebs)
- Texas Rocks the House: First State to Ban Warrantless E-Mail Snooping - <http://bit.ly/1bZPtbc> (@SharonNelsonEsq)
- What Law Firms Can Do to Protect Their Highly Sought-After Data—Jason Smith - <http://bit.ly/188cL1o> (Colin O’Keefe)
- When the Board Comes Calling About Compliance: A Risk-Intelligent Approach - <http://bit.ly/1cIL56F> (Donna Epps)

Technology Considerations

- 2013 In-House Tech Survey - <http://bit.ly/16XK4kF> (Alan Cohen)
- A Primer on Information Theory and Privacy - <http://bit.ly/1bVq9mM> (Peter Eckersley)
- Banks Unveil New Mobile Payments Service Zapp - <http://bit.ly/11AHxvP> (Mark Kleinman)
- Cloud Computing: Businesses Still Don’t Know What They’re Getting Into - <http://zd.net/18deVwD> (@NickJHeath)
- Cloud Storage – The Promise and Threat of Efficiency - <http://bit.ly/17BZxe2> (@LexisNexis)
- Data, Data Everywhere: Do Algorithms Leave Room for Humans in Business? <http://bit.ly/14LTVKb> (Kim Davis)
- Email Encryption Flaw Helps Criminals and Snoops Hide Hijacked Messages – <http://bit.ly/12aKNxN> (Alastair Stevenson)
- Email is Tyrannosaurus Rex: Feared and Soon to be Extinct - <http://bit.ly/147U73Y> (Chris Taylor)
- Exchange Server Email Request Error - <http://bit.ly/1bZPagA> (Jacob Rede)
- Google Given Three Months To Meet Privacy Law - <http://ubm.io/1a450KC> (Thomas Claburn)
- Innovation, Reallocation, and Growth – <http://hvr.me/11Y7GjV> (@HarvardCorpGov)
- IT-as-a-Service Models to Net \$11 Billion in Health IT Savings Over Next Three Years - <http://bit.ly/11AGQTg> (Business Wire)
- Knowledge Management Brings Order to Law Firms - <http://bit.ly/17a6X11> (Steven Bennett)
- Provoking National Boundaries on the Internet? <http://bit.ly/11ZfupB> (Leslie Daigle)
- Super Users Control All IT Systems - <http://bit.ly/1cdwhqG> (Peter Vogel)
- Storage: Demand And Supply - <http://bit.ly/1bWI8t0> (@ChuckHollis)
- The End of Software; The Fall of IBM – <http://bit.ly/11AnDBp> (Paul Sterne)
- The @ProjectCounsel Group Listservs: Some Metrics and Demographics - <http://bit.ly/188ddg1> (@PosseList)
- The Three Technologies That Are Turning Disasters into Non-Events from an IT Perspective - <http://bit.ly/1cdTKrQ> (Jerome Wendt)
- Worldwide Security Appliances Revenue Rises 3.4% in Q1 – <http://bit.ly/11AHK2c> (Computer Business Review)
- Ways to Make Your Online Tracks Harder to Follow - <http://nyti.ms/17pnjda> (Natasha Singer)

Vendor News

- An eDiscovery Market Size Mashup: 2012-2017 Worldwide Software and Services Overview - <http://bit.ly/17pgDvy> (@ComplexD)
- Vendor Clips Weekly Update for Week Ending June 24, 2013 - <http://bit.ly/14kMmaV> (@ComplexD)

2013 Events

JUNE

San Diego eDiscovery Retreat

June 30 – July 1, 2013

San Diego, CA

[Click here for more information.](#)

JULY

6th Annual Forensics and Incident Response Summit

July 9 – 10, 2013

Austin, TX

[Click here for more information.](#)

E-Discovery for Corporate Market Conference

July 17 – 18, 2013

New York, NY

[Click here for more information.](#)

Laguna Beach eDiscovery Retreat

July 28 – 29, 2013

Laguna Beach, CA

[Click here for more information.](#)

AUGUST

American Bar Association Annual Meeting

August 8-13, 2013

San Francisco, CA

[Click here for more information.](#)

ILTA 2013 Annual Conference

August 18-22, 2013

Las Vegas, NV

[Click here for more information.](#)

SEPTEMBER

E-Discovery for Corporate Market Conference

September 17 – 18, 2013

Houston, TX

[Click here for more information.](#)

2013 Conference on Preservation Excellence

September 18-19, 2013

Portland, OR

[Click here for more information.](#)

Hosting and Cloud Transformation Summit North America

September 23 – 25, 2013

Las Vegas, NV

[Click here for more information.](#)

Fifth Annual Intermountain eDiscovery Conference – 2013

September 26, 2013

Salt Lake City, UT

[Click here for more information.](#)

OCTOBER

Relativity Fest

October 6-8, 2013

Chicago, IL

[Click here for more information.](#)

Gartner Symposium/ITxpo

October 6-10, 2013

Orlando, FL

[Click here for more information.](#)

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.](#)

2013 EDI Leadership Summit

October 15 – 17, 2013

Santa Monica, 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.](#)

DECEMBER**E-Discovery for Corporate Market Conference**

December 11 – 12, 2013

Los Angeles, CA

[Click here for more information.](#)



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