

Unfiltered Orange |

Weekly eDiscovery News Update – December 12, 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

- A Litigation Lesson Learned From The Scandal Involving General David Petraeus | eLessons Learned – <http://bit.ly/SxFK4J> (Matthew Adams)
- After Plaintiff Takes Sledgehammer to Computer, Case Dismissed for Spoliation – <http://bit.ly/VmtjY9> (Jim Eidelman)
- Bridging the Gap in eDiscovery: The Emergence of Conceptual Semantic Search – <http://bit.ly/RF2DpV> (Jeffrey Parkhurst)
- Cost Allocation of Discovery Prior to Class Action Certification (PDF) <http://bit.ly/UJHLwO> (Paul Weiss)
- Delaware Court of Chancery Announces Rule Changes, New Discovery Guidelines and CLE – <http://bit.ly/RDTTjT> (Kevin Brady)
- District Court Issues New ESI Guidelines – <http://bit.ly/X4HvWV> (Stephanie Blair, Scott Milner, Lorraine Casto)
- Exact Value Of A Twitter Follower Still Undecided As Leading Case Settles – <http://bit.ly/RGCuXM> (IT-Lex)
- Five Highlights of Georgetown's Advanced eDiscovery Institute – <http://bit.ly/X1iNqk> (Jessica Mederson)
- FOIA and eDiscovery: Similar Challenges, Same Solutions – <http://bit.ly/RF1kHC> (Deloitte)
- Impatient Judges Push Lawyers to Dive Into eDiscovery – <http://bit.ly/RGDkUk> (Monica Bay)
- IRS Collection Division Embraces eDiscovery in New Guidance – <http://bit.ly/RZhX0G> (Stuart Bassin)
- Judge Scheindlin Helps Demystify Foreign eDiscovery – <http://bit.ly/UxC2Yw> (Monica Bay)
- Kroll Ontrack Study Sees Dramatic Drop in eDiscovery Sanctions – <http://bit.ly/RDTyxy> (Sue Reisinger)
- Lawyer for eDiscovery Company Predicts Predictive Coding Will Become an Ethical Obligation – <http://bit.ly/Vm8Z9g> (Debra Cassens Weiss)
- Most Advanced Students of eDiscovery Want a New CAR for Christmas – <http://bit.ly/RVky2b> (Ralph Losey)
- New Jersey Addresses EDI Discovery in Amendments to Criminal Practice Rules And Municipal Court Rules – <http://bit.ly/12kBDgP> (K&L Gates)
- Plaintiff's Litigation Hold Doesn't Pass Smell Test, Directed to Pay for Spoliation Probe – <http://bit.ly/SIsVEX> (LexisNexis)
- Predictive Coding Leads Georgetown E-Discovery Institute – <http://bit.ly/VEKjP3> (Monica Bay)
- Rule 45(c)(1) Cannot Support Sanction Where Cost of Complying Is Minimal and Subpoena Not Defective or Issued in Bad Faith - Appealability of Discovery Order Relating to Out-of-Circuit Case That Is Still Pending – <http://bit.ly/RBctev> (Gregory Joseph)
- Social Media and eDiscovery: A Checklist for Practitioners – <http://bit.ly/SBdYUX> (Deloitte)
- Taxing eDiscovery Costs – Ask For About a Million, Get \$22k – <http://bit.ly/SCPaf0> (IT-Lex)
- Tech Circuit: Georgetown eDiscovery Edition – <http://bit.ly/WYSQrv> (Monica Bay)

- Technology-Assisted Review From the Plaintiffs' Side – <http://bit.ly/RKGuX6> (Henry Kelston, Ariana Tadler, Paul McVoy)
- The Problem With Keyword Searches: Not Everyone Can Spell – <http://bit.ly/X4KwX7> (James Ryan)
- Top Six Tech Issues of 2012 for In-House Counsel - <http://bit.ly/Zeh1ri> (Catherine Dunn)
- US Judges Push Lawyers To Be More Proactive Early In Litigation - □□ What About The UK? <http://bit.ly/X4luGr> (Chris Dale)
- What Is Metadata and How Can It Affect Your Case? – <http://bit.ly/RHhFvm> (Deanne Katz)

Reports and Resources

- Digital Universe in 2020: Big Data, Bigger Digital Shadows and Biggest Growth (PDF) <http://bit.ly/SOBYUQ> (John Gantz, David Reinsel)
- Monday Morning Regulatory Review - 12/10/12 - Federal Regulations Advisor – <http://bit.ly/WYRfSq> (Leland Beck)
- Socially Aware: The Social Media Law Update – December 2012 – <http://bit.ly/YBBLKD> (Morrison & Foerster)
- Special Edition: Technology Assisted Review Backgrounder – Searchable PDF with Links (PDF) <http://bit.ly/TAR-Special> (@OrangeLT)
- State Cell Phone Use and Texting While Driving Laws - <http://bit.ly/Zed5qz> (GHSA)

Sight and Sound

- eDiscovery 3.0: What You Really Need to Know About eDiscovery with Craig Ball – Video – <http://bit.ly/RytCNk> (BlackStone Discovery)
- LXBN TV: How Lawyers Can Navigate the Current Messy State of eDiscovery – <http://bit.ly/Rlcvqr> (Chris Cheatham)
- Is your Discovery Data Good Enough For The Court? <http://bit.ly/SBG8iG> (CIO Talk Radio)
- Technology Assisted Review: Leveraging Advancements to Improve Efficiencies – <http://bit.ly/SBcNou> (Maura Grossman, Carman Oveissi Field)
- The New Disclosure Rules April 2013 – Podcast – <http://bit.ly/SAMKOo> (Charles Holloway, Chris Dale)

Technology and Tactics

- A Reminder to Employers of the Need for Social Media Policies – <http://bit.ly/WYTt4p> (James Kachmar)
- Are Facebook Posts Fair Disclosure? <http://bit.ly/RVqKAM> (Mark Edwards)
- Attorney-Client Privilege and Attorney Work Product Protections Narrowing – <http://bit.ly/SCPAm1> (McKenna Long & Aldridge LLP)
- Attorney-Client Privilege: When the Client Dies – <http://bit.ly/S332Ta> (Joel Cohen, Yevgenia Kleiner)
- Best Practices for Naming Exchange 2010 Databases – <http://bit.ly/RX4CpC> (Casper Manes)
- DOE, National Labs Reveal Sweeping Cloud Strategy – <http://bit.ly/X4HIPf> (Nicolas Hoover)
- DOJ Issues New Opinion Procedure Releases – <http://bit.ly/RGDYkG> (Thad McBride, Cheryl Palmeri)
- Do People Really Use The Internet To Find Lawyers? <http://bit.ly/Uz756o> (Gyi Tsakalakakis)
- Does Privacy Matter? <http://bit.ly/REbwjB> (@ComplexD)
- Ensuring the Quality of Quality Data – <http://bit.ly/SyEiPG> (Kathleen Aller)
- FCC Rules That Opt-Out Confirmation Text Messages Do Not Violate the TCPA – <http://bit.ly/WZT9lZ> (Morrison Foerster)
- Find the Weakest Software Link Before Hackers Do – <http://bit.ly/SyMoYA> (Judy Selby)
- FTC Settles With Online Advertising Network for Tracking Consumer Browser History – <http://bit.ly/RGBO4G> (Justine Gottshall)
- Gartner Data Center: Is Big Data Too Big to Back Up? <http://bit.ly/SBEjIO> (Kevin Komiega)
- Gmail Goes Down, Frustrating Office Workers – <http://nyti.ms/RZhiwb> (Claire Cain Miller, Jenna Wortham)
- How to Manage Confidential Information in Era of Big Data – American Banker – <http://bit.ly/SDb8yV> (Gabriela Baron)
- It's Not Paranoia if They Are Really After You! <http://bit.ly/WYKlXX> (McTim)

- Joint DOJ-SEC Guidance On FCPA Clarifies And Confirms Agency Enforcement Attitudes And Policies – <http://bit.ly/Sxcb3n> (Homer Moyer)
- Kaggle President Jeremy Howard: Amateurs Defeat Specialists in Data-Prediction Competitions – <http://bit.ly/Rj2tEQ> (Peter Aldhous)
- Legal Guidelines for CEOs on Social Media – Avoid the Netflix Issue – <http://bit.ly/X4La6U> (Travis Crabtree)
- Netflix Gets Wells Notice Over CEO Hastings' Facebook Post – <http://on.wsj.com/RVjLrI> (Paul Vigna)
- No Warrant, No Problem: How The Government Can Still Get Your Digital Data – <http://bit.ly/RGZiqv> (Theodoric Meyer, Peter Maass)
- Patriot Act Can 'Obtain' Data in Europe, Researchers Say – <http://cnet.co/RVgfxu> (Zack Whittaker)
- Ponemon Study on Patient Privacy Highlights Security Failings – <http://bit.ly/SCOtCD> (Richard Santaless)
- Random Forests – Classification/Clustering Descriptions – <http://bit.ly/Uv8EIU> (Leo Breiman, Adele Cutler)
- SaaS: As Versatile & Indispensable as a Swiss Army Knife - <http://bit.ly/12kDjH1> (Charlotte Erdmann)

Vendor Views

Industry Landscape

- A Review of Two Predictive Coding Dummies® Books – <http://bit.ly/Rz7qZZ> (Sharon Nelson)
- Autonomy's Lesson For Information Governance – <http://bit.ly/SDweNt> (Rakesh Madhava)
- Autonomy's Lynch Hasn't Heard From HP in Accounting Row – <http://bloom.bg/S33YXN> (Amy Thomson, Marta Marino)
- Customers of iManage (Autonomy), Can Switch to Worldox DMS w/No License Fee/Conversion Cost – <http://bit.ly/SD9AVw> (Business Wire)
- Dueling Predictive Coding for Dummies Books Part Deux – <http://bit.ly/WYLgwS> (Sean Regan)
- EMC Atmos 2.1 Accelerates Cloud Value – <http://bit.ly/12kCT3w> (Mike Matchett)
- EVault Appoints Paul Hartzell as Vice President of Asia-Pacific Region – <http://bit.ly/S3z7dx> (Press Release)
- First Advantage Litigation Consulting Expands Managed Review Services in Washington, D.C. – <http://bit.ly/SAMxuk> (Press Release)
- FTI Consulting, Inc. Announces Expiration and Final Results of Tender Offer – <http://prn.to/12kCMEV> (PR Newswire)
- Global Relay CEO & Founder Warren Roy Named CEO of the Year – <http://bit.ly/X1P9Bi> (PR Web)
- Guidance Software Releases EnCase Portable Version 4 – <http://bit.ly/X09eIk> (Business Wire)
- IBM eDiscovery Manager Input Validation Flaw Permits Cross-Site Scripting Attacks – <http://bit.ly/Uz7vJU> (Security Tracker)
- Inventus Earns Orange-Level Best in Service Recognition (Relativity Hosting Partner) <http://bit.ly/SCMZs2> (Press Release)
- Iron Mountain Acquires Data Storage Companies in Chicago, Phoenix and Sarasota, Fla. – <http://bit.ly/X0a5J1> (Press Release)
- Jattheon Unveil New Solution That Boosts Fault Tolerance and Redundancy for Better Data Protection – <http://bit.ly/RGAGhr> (PR Web)
- Keteltas, Jenson Named Chairs of Baker & Hostetler E-Discovery Team – <http://bit.ly/SGWDKg> (Evan Koblentz)
- Lateral Data Launches Viewpoint in the Cloud – <http://bit.ly/UAySTW> (Press Release)
- LexisNexis Risk Solutions Announces Appointment of Mark Kelsey as Chief Executive Officer – <http://bit.ly/UxK3ge> (Press Release)
- Metalogix to Archive 12 Million Emails Out of Autonomy ZANTAZ EAS at UK Council – <http://bit.ly/RC5vnA> (PR Web)
- Orange Legal Technologies' Overview – <http://bit.ly/V4NgEx> (@OrangeLT)
- Paragon Legal Technology Support Manages Big Data Growth with EMC - <http://prn.to/ZeiP3> (PR Newswire)
- Pitney Bowes Launches SecLingua to Bring Security Technology to Healthcare – <http://bit.ly/RGzWc7> (Press Release)
- ReadySuite Announces 30% Discount on eDiscovery and Litigation Support Software in December – <http://bit.ly/Vm7ZSr> (Press Release)

- Symantec Achieves Federal Information Processing Standard and Common Criteria Certifications – <http://on.mktw.net/X5BU2o> (Marketwire)
- TASA Announces Partnership with MerlinOne to Offer e-Discovery Solution to Law Firms – <http://prn.to/RDRvJN> (PR Newswire)
- Technology-Assisted Review: Ask and You Shall Receive - <http://bit.ly/ZebS2B> (Kroll Ontrack)
- The Oliver Group Expands Expertise in Mobile Forensic Collections – <http://yhoo.it/SDnTt6> (PR Web)
- UBIC North America, Inc. Introduces Version 5.5 of its LIT i VIEW eDiscovery Solution - <http://bit.ly/Uz7hm0> (PR Web)
- VMware Deploys Proofpoint Suite of Solutions – <http://mwne.ws/S46exR> (Marketwire)
- We May Be New To Clearwell, But Not To eDiscovery: Symantec – <http://bit.ly/SCNToy> (Patrick Budmar)
- Workshare Recognized by ILTA Member Firms for Exceptional Customer Service! – <http://bit.ly/RGAnTW> (Announcement)

2013 Events

JANUARY

LegalTech New York 2013

January 29-31, 2013

New York, NY

[Click here for more information.](#)

FEBRUARY

The Sedona Conference® – eDiscovery Cooperation Training

February 21-22, 2012

Phoenix, AZ

[Click here for more information.](#)

ACEDS 2013 Annual Conference and Exhibition

February 28 – March 2, 2013

Hollywood, FL

[Click here for more information.](#)

MARCH

HIMSS Annual Conference & Exhibition

March 3-7, 2013

New Orleans, LA

[Click here for more information.](#)

Legal IT Business Show 2013

March 5-6, 2013

London, United Kingdom

[Click here for more information.](#)

Second Annual ASU-Arkfeld eDiscovery and Digital Evidence Conference

March 13-15, 2013

Tempe, AZ

[Click here for more information.](#)

AIIM Conference

March 20-22, 2013

New Orleans, LA

[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

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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

EDRM 2013-14 Kickoff Meeting

May 7-9, 2012

St. Paul, MN 55102

[Click here for more information.](#)

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.](#)

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

OCTOBER

ACC 2013 Annual Meeting

October 27-30, 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>.