

Unfiltered Orange |

Weekly eDiscovery News Update – January 16, 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 competitors 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

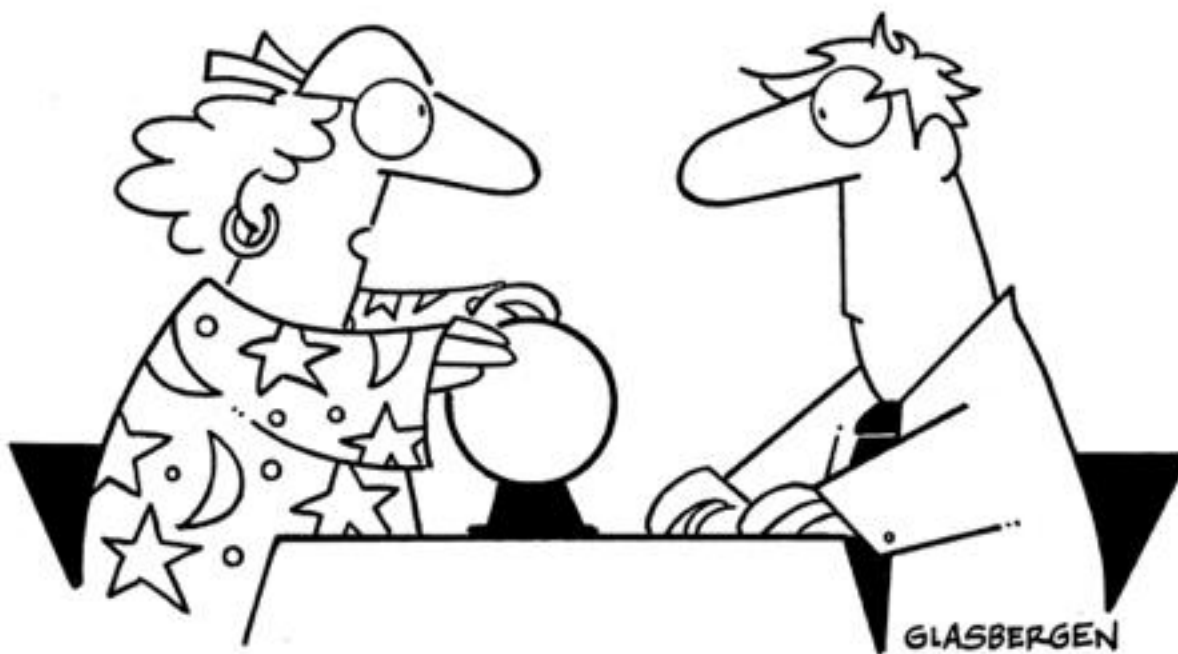
Considerations

- 10 Things You Never Hear on Privilege Logs – <http://bit.ly/WDDzeB> (Kevin Brady)
- 12 Tips To Get The Most Out of Technology-Assisted Review (“TAR”) <http://bit.ly/11j4l3s> (Sandra Serkes)
- Bad Faith Spoliation Revisited – <http://bit.ly/VHypmc> (Scott Seabolt)
- Barney It Down: Reviewing the Basics of Predictive Technologies within eDiscovery – <http://bit.ly/WIx36k> (Scott Giordano)
- Cell Phones are Not Facilities Under the Stored Communication Act – <http://bit.ly/WFv1DY> (Josh Gilliland)
- Cleaning Up Clutter Emerges as Top Enterprise Priority in 2013 - <http://bit.ly/11j5Qi7> (Jerome Wendt)
- Cloud vs. Appliance: Comparing the Total Cost for eDiscovery - <http://bit.ly/Xb46AU> (John Tredennick)
- Confidentiality From The Boardroom To The Bedroom – <http://bit.ly/W33VbJ> (Michael Schmidt)
- Court Protects Identities of Internet Users But Allows Re-filing of Expedited Discovery Request – <http://bit.ly/11ntBFI> (Mark Keddis)
- Court Reduces, But Allows, Reimbursement of eDiscovery Costs – <http://bit.ly/VDDhss> (Doug Austin)
- Discovery of Social Media: The Plaintiff Responds and Produces | eLessons Learned – <http://bit.ly/W0pFoy> (Jennifer Connelly)
- Don't Let Employee Email Get You Sued – <http://bit.ly/11ntwSE> (Deanne Katz)
- eDiscovery Checkpoints: A 360 Degree View (Part 1) – <http://bit.ly/W30zW9> (Tom Hagy)
- Emails Between Husband and Wife Are Not Privileged, If Sent from Work Computer – <http://bit.ly/WFCwe0> (Doug Austin)
- First Amendment Does Not Save NJ Teacher from Firing Based on Postings – <http://bit.ly/W4Y7yy> (Paul Paray)
- Five Daunting Problems Facing eDiscovery in 2013 – <http://bit.ly/VFnA48> (Michelle Lange)
- Independent Agents Subject to Litigation Hold – <http://bit.ly/11nt4Uj> (Marc Bianchi)
- ISP Claims Not To Be “Online Police”, Leaves Piracy Talks – <http://bit.ly/VFQ4Lh> (Emily Pineless)
- Keep eDiscovery Costs Down in Patent Litigation – <http://bit.ly/WGs8D9> (Victoria Wicken, Leah Buratti)
- Many Global Organizations Flub Electronic-Records Requests – <http://bit.ly/11kfpNX> (Ellen Messmer)
- No Sanctions For Deleting Native Format Audio Recordings If Digital Copies Are Kept – <http://bit.ly/11mlKbA> (IT-Lex)
- On Remand, Court Finds Rambus' Spoliation was in Bad Faith and Resulted in Prejudice – <http://bit.ly/WFvBl2> (K&L Gates)
- One Way to Align Three Differing Approaches: A Basic eDiscovery Framework – <http://bit.ly/11k4vHM> (ACEDS)

- Preservation of Social Media, What Companies Needs To Know – <http://bit.ly/10xA2qK> (Vincent Syracuse, Paul Sarkozy, Matthew Moran, George Du Pont)
- Processing: The Blender of eDiscovery – <http://bit.ly/10xzelA> (Adam Cohen)
- Products from Apple®: Sturdy Security, PC Differences Require Special Attention in Discovery – <http://bit.ly/W6f1g2> (LexisNexis)
- Sending the Privilege Away: Attorney-Client E-Mails in the Corporate Setting – <http://bit.ly/UWyFfS> (K&L Gates)
- Social Media Discovery and ESI in Motion Practice – <http://bit.ly/11j9ad6> (Mark Berman)
- Spoliation Sanctions Inapt against Individual Where Plaintiff Put Only Entity on Possible Claim Notice – <http://bit.ly/VFli4X> (Gregory Joseph)
- Study: Most Unprepared for eDiscovery Requests | Channelnomics – <http://bit.ly/VFDp15> (Stephanie Hoffman)
- Treading Past Angels: Finding the Right Search Expert for Your Case – <http://bit.ly/10wx133> (Ron Tienzo)
- What is Predictive Coding?: Including eDiscovery Applications – <http://bit.ly/W30Et4> (Michael LoPresti)
- Your New Year's Resolution: Out with the Old (Data), In with the New – <http://bit.ly/W4pYig> (Sheila Mackay)

Levity

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“Sorry this is taking so long. My carrier is throttling my data .”

Risk

- 2012's 10 Big Moments for Chief Compliance Officers – <http://bit.ly/WFZZMp> (Donna Boehme)
- 2012 in Review On Significant Trade Secret, Non-Compete, and Computer Fraud Cases, Legislation – <http://bit.ly/VHA4bx> (Robert Milligan)
- 2012 Trends in Securities Class Actions – <http://hvr.me/VJKRSA> (Noam Noked)
- Can Computer Models Form Risk Compliance Programs? <http://bit.ly/W6fzTm> (Ryan McConnell, Dianne Ralston, Charlotte Simon)
- Court Decision Shows Why Copyright Assignments Should Be Precisely Worded – <http://bit.ly/11mLZPe> (Evan Brown)
- FINRA Updates Guidance on Communications With the Public – <http://bit.ly/WycZUa> (Melanie Waddell)
- Financial Services – Adapt or Die (Social Media) – <http://bit.ly/WJeMG2> (Finextra)
- Fiscal Cliff, Sandy, and FCPA Among Top Risks Seen in Corporate Filings – <http://bit.ly/11moC8g> (Catherine Dunn)
- HIPAA Enforcement: Is It Finally Here? <http://bit.ly/WKd5YU> (Anjana Patel, Diana Giampiccolo)
- Managing Your FCPA Risk: Lessons for the Device Industry from 2012 Enforcement Actions – <http://bit.ly/WFBq1Q> (Jennifer Saperstein)
- Of Note From The Eli Lilly Enforcement Action – <http://bit.ly/VFnM3v> (FCPA Professor)
- SEC Writing New Rules That Will Make It Easier To Advertise Investment Opportunities – <http://wapo.st/VHw1vQ> (Dina ElBoghday)
- The Asia Pacific Top Ten FCPA Enforcement Actions of 2012 (Part One) <http://bit.ly/VFifhe> (Wendy Wysong)
- The Asia Pacific Top Ten FCPA Enforcement Actions of 2012 (Part Two) – <http://bit.ly/W35FBW> (Wendy Wysong)
- The Legal Argument for Opposing Open Internet Regulations | TMT Perspectives – <http://bit.ly/WGS6GA> (Dana Frix)
- Top Ten Internet Law Developments of 2012 – <http://ow.ly/gKRxb> (Eric Goldman)

Resources

- 1.6M Documents Released: EDI-Oracle Study Updates will be on EDD Update – <http://ow.ly/gP3yw> (Patrick Oot)
- 2012 eDiscovery Year in Review: eDiscovery Case Law, Part 1 – <http://bit.ly/VHC1ol> (Doug Austin)
- 2012 Year-End Electronic Discovery and Information Law Update – <http://bit.ly/VHvjPa> (Gibson Dunn)
- EDI Oracle Computer Assisted Review Study – <http://bit.ly/WxRsuS> (PR Web)
- eDiscovery Case Database – 2,000+ State and Federal Court Cases Involving eDiscovery – <http://bit.ly/11gXvvg> (K&L Gates)
- Electronic Discovery and the Adoption of Information Technology (PDF) <http://bit.ly/WuhIpH> (Amalia Miller, Catherine Tucker)
- Globally Protecting Client Confidentiality Using the Cloud (PDF) <http://bit.ly/WlvS6P> (Kyle Carter)
- How Much of the Web Is Archived? (PDF) <http://bit.ly/WDFe3T> (Scott Ainsworth, Ahmed AlSum, Hany SalahEldeen, Michele Weigle, Michael Nelson)
- Privacy on the Go – Recommendations for the Mobile Ecosystem (PDF) <http://bit.ly/VFjMzY> (Kamala Harris)
- Spoliation Sanctions By Circuit (PDF) <http://bit.ly/13vEt2Z> (Legal Hold Pro)
- U.S. National Strategy for Information Sharing and Safeguarding (PDF) – <http://1.usa.gov/VFkgGb> (United States Government)

Senses

- Ari Kaplan Talks w/Dean Kuhlmann of Lateral Data (Podcast) – <http://bit.ly/VG6IKD> (Ari Kaplan)
- eDiscovery Journal Predictive Coding Survey (Podcast) – <http://bit.ly/11gYiMY> (Karl Schieneman)
- The Sedona Conference® 2012 eDiscovery Year-in-Review (Webinar) - <http://bit.ly/WID6aR> (The Sedona Conference®)
- Unfiltered Orange – Cartoons: Lips Moving? <http://bit.ly/WJkyHw> (@OrangeLT)
- What is “Predictive Coding”? | MER Musings – <http://bit.ly/Xc62sV> (MER Musings)

Technologies

- 10 Facts: Secure Java For Business Use – <http://bit.ly/VJKA1S> (Mathew Schwartz)
- Are Unstable Backup Tapes a Real Problem? <http://bit.ly/VFPBIX> (Babs Deacon)
- California AG Releases Mobile App Privacy Guide – <http://bit.ly/WIBgHc> (John Horan)
- Cloud Computing: Government Launches latest ‘G-Cloud’ Procurement Framework – <http://bit.ly/VJLlbo> (Pinsent Masons)
- DefenseCode turns up Linksys Zero-Day – The Register – <http://bit.ly/VHyzdo> (Richard Chirgwin)
- Do Your Email Users Know Too Much? <http://bit.ly/VHxwtX> (Jeff Orloff)
- Facebook Unleashes Graph Search – <http://bit.ly/VIseyk> (Kim Davis)
- Fighting Email Spam with DNS Firewall – <http://bit.ly/W4VKvI> (John Mello)
- Game-Changers Ahead for Enterprise Content Management – <http://bit.ly/VHyoic> (Christine Parizo)
- GPS Tech Used for Stalking Creates Conundrum – <http://bit.ly/VDGng6> (Jennifer Mann)
- IBM’s Watson Gets a Swear Filter After Learning the Urban Dictionary” – <http://bit.ly/Wck7z8> (@Slashdot)
- Is SharePoint Trustworthy For Business-Critical Processes? <http://bit.ly/11miRHQ> (Russ Edelman)
- Just What Do You Mean – Backup Appliance? <http://bit.ly/WIA7PU> (Jerome Wendt)
- PC Shipments Struggle Amid Tablet Growth – <http://bit.ly/VFiPaF> (Stephanie MacDonald)
- Phishing Fraud Still Prevalent – <http://bit.ly/WIF4rY> (Peter Vogel)

Vendors

- 12 on 12: A Dozen Must-See Panels at LegalTech New York – <http://bit.ly/W2Xwx8> (Evan Koblentz)
- 2012 ILTA Survey Recognizes CDW as Top Legal Technology Vendor for Fifth Straight Year – <http://on.mktw.net/VFBuDW> (Business Wire)
- About Orange Legal Technologies’ Offerings: What Do We Do? <http://bit.ly/V4NgEx> (@OrangeLT)
- CA Technologies Extends Workload Automation Reach – <http://bit.ly/10x8SA7> Michael Vizard)
- Catalyst and C-TEQ Data Consultants Join Forces to Offer eDiscovery Technology and Consulting – <http://mwne.ws/VGpodf> (Marketwire)
- Document Management Expert Bob Zagami Joins BeyondRecognition Advisory Board – <http://bit.ly/11kcQeB> (Press Release)
- eDJ Quick Analysis: IBM To Acquire StoredIQ – <http://bit.ly/UKwVsM> (Barry Murphy)
- EMC First to Market with Private Cloud File-Sync-and-Share - <http://bit.ly/W2ZL3E> (Joshua Kunkle)
- eMag Solutions Unveils New Company Website – <http://prn.to/VFnk5e> (PR Newswire)
- eTERA Announces Appointment of Maria Herrera as Global Managing Director, IT & Operations – <http://bit.ly/WIAFFo> (PR Web)
- eTERA Announces Appointment of Yin Lu as Vice President, Global Head of eDiscovery Consulting – <http://bit.ly/11j2USK> (PR Web)
- Experience XERA and Advanced Analytics at LegalTech New York – <http://bit.ly/VILNGN> (PR Web)
- FTI Consulting Acquires Salter – Yahoo! Singapore Finance – <http://bit.ly/11gVkyC> (Press Release)
- Guidance Software Names Vincent Schiavo as Senior Vice President of Worldwide Sales – <http://bit.ly/ZHxuoq> (Business Wire)
- HP Makes Its Software Pitch, Defends Autonomy Technology | ZDNet – <http://zd.net/WAYRhx> (Larry Dignan)
- HP Memo Confirms Layoffs and New Directions at Autonomy – <http://dthin.gs/W34O3X> (Arik Hesseldahl)
- Huron Consulting Group Announces Senior Level Promotions - <http://bit.ly/10wEru0> (Press Release)
- iCONNECT Products Featured on “60 Minutes” National News Program – <http://bit.ly/W34CII> (PR Web)
- Invendica Releases Legal VERSION 5 for Document Review – <http://bit.ly/W4ozs3> (Marilyn Gladden)
- Jeff Bodem Joins iCONNECT as Regional Director, Business Development – <http://bit.ly/UZ5bRj> (PR Web)
- Kroll Ontrack Receives Visionary Services and Support Company Recognition for Data Recovery Services – <http://on.mktw.net/W0qoGv> (Business Wire)
- Latest Desktop Version from dtSearch Available – <http://bit.ly/VFCtU0> (Beyond Search)
- Leading West Coast eDiscovery Firm TERIS Welcomes New Senior Project Manager – <http://yhoo.it/VJKmrM> (Press Release)
- Liquid Litigation Management Adds Email Threading – <http://bit.ly/VHV9Td> (Michael Roach)

- Meet the New eDiscovery Matrix – eDiscovery Journal – <http://bit.ly/XaPe5m> (Greg Buckles)
- New Batch of eDiscovery Providers to Exhibit at LegalTech – <http://bit.ly/VJJGm2> (Evan Koblentz)
- New Brand Positions DSI as a Future-Forward eDiscovery Services Provider – <http://bit.ly/WDK8OI> (Marilyn Gladden)
- OC Law Firm, Borchard & Callahan, Licenses Syngence Near-Duplicate Clustering Software (PDF) – <http://bit.ly/W3vxxm> (Press Release)
- OpenText Extends EIM Value Proposition to Mainframe and Other Semi-Structured Information Systems – <http://prn.to/W4pRmL> (PR Newswire)
- OrangeLT™ Silicon Slopes Strategy for eDiscovery – <http://bit.ly/Uq0OuE> (David Horrigan)
- Reed Archives Named 2013 SIIA CODiE Award Finalist in Two Content Categories – <http://bit.ly/W3BnPt> (Press Release)
- RegEd Expands Social Media Archiving and Surveillance with Content Library and Multiple Lexicons - <http://yhoo.it/10wE9mJ> (Press Release)
- Research Indicates Growing Trend Towards Intelligent Metadata Enabled Solution Deployment – <http://bit.ly/WfJcJu> (PR Web)
- Symantec's 2012 Information Retention and eDiscovery Survey - <http://yhoo.it/W4W9y9> (Marketwire)
- Superior Discovery Selects Lateral Data's Viewpoint E-Discovery Software Platform – <http://bit.ly/WDLXKY> (Marilyn Gladden)
- TERIS Bolsters eDiscovery Capabilities with Equivio Zoom – <http://prn.to/Wesav0> (PR Newswire)
- Workshare Builds Presence in Legal Sector with LegalTech Exhibition and CIO/CTO Forum Sponsorship <http://bit.ly/VItBNz> (PR Web)

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, 2013
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
[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.](#)

LawTech Futures
April 30, 2013
London, UK
[Click here for more information.](#)

MAY

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.](#)

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
[Click here for more information.](#)

OCTOBER

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.](#)

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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