

Unfiltered Orange |

Weekly eDiscovery News Update – March 14, 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 Cautionary Tale for All Litigators (Must Read for E.D. Va. Litigators) - bit.ly/ze3GCv (Bennett Borden, Monica McCarroll, Lauren Wheeling)
- A Look Back: Top 10 eDiscovery Developments and Trends Emerging Out of 2011 – <http://bit.ly/zuSsjZ> (Jay Yurkiw)
- An Ode to the Rarest of Creatures: the eDiscovery Lawyer – bit.ly/AIPVE1 (BLLAWG)
- Analyzing Novel Issues in Internet Jurisdiction - bit.ly/y6v2Bp (Richard Raysman, Peter Brown)
- Breaking Down the eDiscovery Model Order - bit.ly/yxpkXT (Barry Shelton)
- Bridging the Gap Between Lawyers and Social Media Managers (and Why You Should Care) bit.ly/wKkbNQ (Alison Monahan)
- Can These Plaintiffs Put the Keyword Horse Out to Pasture? - bit.ly/ymUEoL (Jon Resnick)
- Computer-Assisted Coding: The New Frontier of E-Discovery? bit.ly/w1SJQU (Wystan Ackerman)
- Contract Can Lie in Email Threads or Multiple Emails – <http://bit.ly/zfthhS> (Chris Dale)
- Court Imposes Sanctions for Failure to Conduct Reasonable Inquiry and Late Production - bit.ly/wSyM5K (K&L Gates)
- Defending Sensitive Electronic Information From Hacker Attacks - bit.ly/wBX5q2 (Paul Stanfield, Will Ambruzs)
- ‘Do Not Track’ — Online Privacy Litigation Now and in the Future - bit.ly/yisNsb (Gerry Silver)
- eDiscovery “Think Tank” Offers Concrete Pointers - bit.ly/x6q3ol (Kevin Nichols)
- Electronic Document Management-Electronic Content Management And eDiscovery - bit.ly/ADYN5H (Steve Markey)
- Ethics of Electronic Discovery – Part Two - bit.ly/z9G2GY (Ralph Losey)
- FDA Issues Draft Guidance on Social Media and Off-Label Use Questions - bit.ly/Aa8KBo (Shari Claire Lewis)
- Increased Market for Cyber Insurance Means Litigation On the Horizon - bit.ly/A4rtfr (Michael Brown)
- Interview: Jeff Nadalo from TransCanada Pipeline – Predictive Coding and Why You Should Care About It – bit.ly/zfqqCE (Amber Scorch)
- Invasion of Privacy? – Federal Government Secretly Monitored Personal Webmail - bit.ly/woSX37 (Peter Vogel)
- “Judge Peck Approves a Discovery Process That Includes the Application of Predictive Coding” <http://bit.ly/w6l7sW> (Fulbright Briefing)
- Judge Peck’s Predictive Coding Opinion – Reporting The Reaction - bit.ly/yououl2 (Chris Dale)
- Jurors All “Atwitter” – bit.ly/wOXGo7 (John Patzakis)
- Lessons Learned From Predictive Coding in ‘Da Silva Moore’ - bit.ly/xdXNLj (Rebecca Shwayri)

- May District Court, in De Novo Review of Magistrate Judge's Report and Recommendation, Consider New Evidence Not Proffered to the Magistrate Judge? Circuit Split – bit.ly/AkTiqh (Gregory Joseph)
- New York Appellate Court: Disintegration of Business Relationship Requires Preservation of ESI – bit.ly/AtX1zK (Gene Petty)
- N.Y. High Court to Weigh Warrantless Use of GPS in Non-Criminal Cases – bit.ly/wZTp7P (Theresa Marangas, Benjamin Neidl)
- Open Records and FOIA – Pushing Government Technology into the 21st Century – bit.ly/xv2Ulg (Heidi Maher)
- Patel v Unite – Order For Investigation of Deleted Internet Forum – bit.ly/xsuqj7 (Chris Dale)
- Perspective on Legal Search and Document Review – bit.ly/wfbqR0 (Ralph Losey)
- Policy vs. Privacy: Striking the Right Balance Between Organization Interests and Employee Privacy – bit.ly/wgtV1Z (Philip Favro)
- Reconciling the Irreconcilable in Information Management – bit.ly/x4qpZT (Nick Patience)
- “Reasonable Anticipation” of Litigation Re-Affirmed as the Standard for Triggering Legal Holds – bit.ly/Ajvx5V (Mike Hamilton)
- Reducing e-Discovery Costs to Boost Innovation – bit.ly/wDEkri (BLLAWG)
- Searching for the Google “Privileged” Emails – bit.ly/wP5xaD (Sonya Sigler)
- Texas Court Builds on Judge Rader's Model Order – bit.ly/A23lFf (Matt Miller)
- The Blogosphere Reacts to Judge Peck's Ruling on Predictive Coding – bit.ly/ygrbml (Bob Ambrogio)
- The Importance of People and Process in eDiscovery – bit.ly/yCdH7U (Daryl Shetterly)
- Watch Local Rules on Initial Disclosures – bit.ly/x1QBvZ (Josh Gilliland)
- When Does the Constitution Protect the Production of Digital Evidence? bit.ly/zpfcer (Elkan Abramowitz, Barry Bohrer)

Reports and Resources

- Classified National Security Information Program for State, Local, Tribal and Private Sector (PDF) 1.usa.gov/yzxOby (Homeland Security)
- comScore Releases February 2012 U.S. Search Engine Rankings – bit.ly/xLDJJ9 (Press Release)
- Digital Evidence, Digital Investigations and eDisclosure: A Guide to Forensic Readiness (PDF) bit.ly/yZVLFz (Peter Sommer)
- eDiscovery Resource: LitSupport Yahoo Group – bit.ly/wvc8yz (Amy Bowser-Rollins)
- Ensuring An Impartial Jury In The Age Of Social Media (PDF) bit.ly/AmIKlb (Hon. Amy St. Eve, Michael Zuckerman)
- Evaluating Microblog Content Value – bit.ly/xqwIkg (Paul Andre, Michael Bernstein, Kurt Luther)
- Icebergs in the Clouds: The Other Risks of Cloud Computing – <http://bit.ly/xzvt90> (Bryan Ford)
- NIST: SLA Presentation on Cloud Computing – A New Way to Compute (PDF) <http://bit.ly/zyp5hc> (Robert Bohn)
- Search Engine Comparison (Lucene, Solr, EnterpriseSearch) <http://www.opentestsearch.com/> (Runar Buvik)
- Search Engine Use 2012 – Pew Research Center (PDF) bit.ly/wAyiNz (Kristen Purcell, Joanna Brennar, Lee Rainie)
- The Hidden Risk of a Meltdown in the Cloud – <http://bit.ly/yclTbb> (Technology Review By MIT)
- Will ‘Big Data’ Transform Your Industry? <http://bit.ly/xesBwi> (McKinsey Quarterly)

Sight and Sound

- FBI Uses Social Media to Catch Murder Suspect Who Stole \$2.3 Million – on.mash.to/xU1n5y (Joann Pan)
- Interview: World Congress on Information Technology – bit.ly/Aa5F8a (JD Speedy, Anthony Williams)
- ‘LTN’ IT Director of the Year Craig Bingham on Tech Trends at His Firm – bit.ly/y0qG3t (Craig Bingham, David Snow)
- LTN Interview of Dean Gonsowski on Predictive Coding – bit.ly/xNYWYG (Ralph Losey)
- SXSW Interactive 2012: Q&A With Converseon CEO Rob Key on the Art of Social Listening – <http://bit.ly/zGrdYk> (Todd Watson)

- SXSW Interactive 2012: Q&A With Don Tapscott on Our Digital Future, Privacy & Millennials - bit.ly/wEvtc5 (Todd Watson)

Technology and Tactics

- 5 of the Costliest Tweets Ever – sm.wsj.com/yU39GC (Quentin Fottrell)
- A Decade of Legal Services Outsourcing – bit.ly/yIG5xr (Ganesh Natarajan)
- Analyzing What Is Lacking in Analyst Reports; Research-as-a-Service is Nigh – bit.ly/yPXTHU (Jerome Wendt)
- Big Data: From Meme To Marketplace – bit.ly/AzUEPB (Chuck Hollis)
- Breached Law Firm Apparently Won't Tell Its Clients – <http://t.co/dkGDE79J> (Sharon Nelson)
- Data Protection Officers, Required By Law in Europe – bit.ly/yRdooB (Peter Fleischer)
- Data Should Be Governed, No Matter How Big, No Matter How Small – bit.ly/A2UGUm (Loraine Lawson)
- Do Company Execs Know Sensitive Data When They See It? Many in IT Say No – bit.ly/wXQuhj (Roy Harris)
- Don't Pin Your Legal Marketing Hopes on Pinterest Just Yet – bit.ly/zOlwgX (Gina Rubel)
- Federal CTO Park Brings Startup Mentality – bit.ly/wdFD57 (Evan Koblenz)
- Federal Summit Report: How Government Agencies Think about E-Discovery in the Cloud – bit.ly/ze3mmN (Russ Gould)
- Govt. Agencies, Colleges Demand Applicants' Facebook Passwords – bit.ly/y0CVNc (Bob Sullivan)
- HDD Shortages Spurring Storage Efficiencies – bit.ly/AujN59 (Esther Shein)
- IAPP Global Privacy Summit – Day 2 Recap – bit.ly/ydGTrJ (Frank Gonnello)
- Inside the Stratfor Attack – nyti.ms/w9CM5A (Nicole Perloth)
- Judge Rules that Apple Didn't Invent the iPad! bit.ly/ygYrHk (Peter Vogel)
- Key Government and Industry Leaders Discuss DataPrivacy at IAPP Summit | Baker Hostetler – <http://bit.ly/zGfRT0> (William Weber)
- Managing the Law Firm Risk Role in Outsourcing – <http://bit.ly/zlo2sr> (Toby Brown)
- Maryland Legislation Would Protect Employee and Job Applicant Social Media Privacy Rights – bit.ly/yU0txg (Bradley Shear)
- Minnesota School District Sued For Violating the Social Media Privacy Rights Of A Student – bit.ly/zz3Soa (Bradley Shear)
- NFL's "Bounty" Scandal Illustrates the Power of E-Mail – bit.ly/zN6NZk (Roger Shuler)
- 'Personal Cloud' to Replace PC by 2014, SaysGartner – <http://bit.ly/xiHSEk> (Mike Barton)
- Put EMS on the Record with Start-Transcript – bit.ly/xfwnfg (Casper Manes)
- Researcher Cracks Video CAPTCHAS – bit.ly/zFgSAL (John Mello)
- Storage Software Sales Hit All-Time Record Highs – bit.ly/AyhbpJ (Lucas Mearian)
- The Cloud Is Changing Your Life: Here's What You Need To Know – read.bi/yT2rIv (Julie Bort)
- The FBI Nabbed "Sabu" But Did It Use Him to Entrap Other Hackers? – bit.ly/x2Vowg (Sharon Nelson)
- The Rise of Third Party Litigation Funding – Parts 2 and 3 – bit.ly/xCITU3 | bit.ly/zrkL1H (Toby Brown)
- Troubleshooting ActiveSync from the CAS Server – bit.ly/A1j134 (Casper Manes)
- Twitter Buys Microblogging Site Posterous – cnet.co/x8zkAY (Rafe Needleman)
- Unresponsive IT? CEO Must Share Blame – bit.ly/zJMKK5 (Doug Henschen)
- What is Driving the Need for Right Sourcing in eDiscovery? <http://bit.ly/wXSd0c> (@OrangeLT)

Vendor Views

Industry Landscape

- 17a-4 Develops 'Simple e-Mail Compliance' Service – <http://bit.ly/wggvpm> (PR Web)
- Aderant Acquires Image Management Leader Applied Technology Group, LLC – <http://bit.ly/xXAC1Q> (Press Release)
- Aldermore Bank uses ArchiveOne to Achieve DemonstrableCompliance and Easy Retrieval – <http://bit.ly/wIUSQ2> (PRLog)
- Applied Discovery® Announces Strategic Partnership With kCural Relativity – <http://mwne.ws/w6MaAV> (Marketwire)

- Archiving Email with C2C's ArchiveOne Can Reduce eDiscovery Risks - bit.ly/xfNuhv (Brett Burney)
- Automated Predictive Review (Predictive Coding) from Orange Legal Technologies - bit.ly/zzXJCK (@OrangeLT)
- ClearwelleDiscovery Integration Nears for Symantec Data Insight – <http://bit.ly/y5b30M> (Evan Koblentz)
- Complete Discovery Source — eDiscovery Leader Expands Its Managed Review Capacity - mwne.ws/AvqUZg (PR Web)
- Daegis Reports Fiscal 2012 Third Quarter Financial Results - bit.ly/ymupAG (Press Release)
- DCIG Revolutionizes Buyer's Guide with New Analysis and System - bit.ly/z7ZxfJ (Joshua Konkle)
- eTERA Consulting Welcomes Vail Legal Technologies LLC as Business Partner - bit.ly/AtpXsS (PR Web)
- Falcon Discovery Achieves Certified Symantec Clearwell Managed Service Provider Status - mwne.ws/yJp3aK (Marketwire)
- Four Firms Advise on Proposed Quest Software Buyout - bit.ly/xp52oq (Julie Friedman)
- Hubbard One Rounds Out Law Firm Client Development - bit.ly/w5BkiO (Evan Koblentz)
- IPRO Announces Litigation Review Software Trade-In Program - mwne.ws/xH7rFB (Marketwire)
- Iron Mountain Incorporated Declares Quarterly Dividend - yhoo.it/A9YWLm (Business Wire)
- Kroll Ontrack Recovers More Than 103 Petabytes of Data over the Past 25 Years – bit.ly/wr1zpT (Business Wire)
- More Allegations about Fast Search Impropriety - bit.ly/zBgUQP (Stephen Arnold)
- Mountain West Chapter of the ACC – 7th Annual CLE & SKI – OrangeLT Sweepstakes - bit.ly/AuQg0X (@OrangeLT)
- Performance, Processor and Built-In External Review Package Head Changes in EnCase Forensic Version - bit.ly/xxmdCP (Steve Salinas)
- Relativity 7.4 Pre-Release Now Available - bit.ly/ySIEgK (@kCura)
- RSD and DATATEKNIK Form Strategic Partnership - bit.ly/ysN2GV (PR Web)
- Symantec Announces Global Availability of NetBackup 7.5 and Backup Exec 2012 - mwne.ws/yRwT1I (Marketwire)
- Symantec Helps Organizations Get Control of Runaway Data Growth – mwne.ws/zZ2B44 (Market Wire)
- TechLaw Solutions Addition of Veteran Managed Review Services Team - yhoo.it/z3U6Gg (Marketwire)
- Winmark Chief Legal Officer Network and ZyLAB create a Strategic Partnership - bit.ly/zyt7hu (Press Release)
- ZL Technologies Brings Virtual Scale-out to Enterprise Archiving and eDiscovery - bit.ly/wQZWOU (Ben Maas)

2012 eDiscovery Events

MARCH

AIIM 2012 Conference

March 20 – 22, 2012
San Francisco, CA

The Sedona Conference Institute's 6th Annual Program on Staying Ahead of the eDiscovery Curve

March 22 – 23, 2012
St. Louis, MO

ABA TECHSHOW 2012

March 29-31, 2012
Chicago, IL

APRIL

ACEDS 2012 Conference

April 2 – 4, 2012
Hollywood, FL

Hosting and Cloud Transformation Summit – Europe

April 2-3, 2012

London, UK

12th Annual Super Conference

April 23 – 24, 2012

Chicago, IL

MAY**2012 World Technology Law Conference & Annual Meeting**

May 3 – 4, 2012

Washington, DC

INSIGHT 2012 Law Firm IT – Conference and Exposition

May 8 – 9, 2012

London, UK

EDRM 2012 – 2013 Kickoff Meeting

May 16 – 17, 2012

St. Paul, MN

CEIC 2012

May 21 – 24, 2012

Summerlin, NV

LegalTech West Coast 2012

May 22-23, 2012

Los Angeles, CA

JUNE**ILO Global Counsel Congress**

June 14, 2012

New York, NY

JULY**Carmel Valley eDiscovery Retreat**

July 22 – 24, 2012

Carmel, CA

AUGUST**ILTA Annual Conference 2012**

August 26 – 30, 2012

Washington, DC

SEPTEMBER**Intermountain eDiscovery Conference 2012**

September 13, 2012 (Planning)

Salt Lake City, UT

ACC Annual Meeting

September 30 – October 3, 2012

Orlando, FL

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. OrangeLT™ offers a complete suite of electronic discovery services to include 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>.