

# ComplexDiscovery | Weekly eDiscovery Top Story Digest

## October 9, 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

*The Weekly eDiscovery Top Story Digest begins a short publishing hiatus today and will resume publishing on October 30, 2013.*



### *eDiscovery Now for Legal Professionals*

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

- An eDiscovery Case Study: The Zubulake Case, Adverse Inference (Part 2) <http://bit.ly/1e8eHHI> (Jane Gennarelli)
- Case Planning: Don't Learn the Hard Way - eDiscovery Insight - <http://bit.ly/18MaSFC> (Michelle Kovitch)
- Computer-Assisted Review: What Litigators/In-House Counsel Need to Know (Part 2) <http://bit.ly/GJbbXQ> (@TrustPointIntl)
- Court May Impose Sanctions for Failure to Preserve Recording - <http://bit.ly/GJ0PrE> (Barry Johnsrud)
- Court Orders HoudiniEsq Founder to Take Down Blog Post - <http://bit.ly/18M7IXS> (@BobAmbrogio)
- Data Held Hostage by eDiscovery Provider! <http://bit.ly/18KeIPK> (Doug Austin)
- Data Scientists Create Code Of Professional Conduct | BigData - <http://ubm.io/GIRRKt> (Jeff Bertolucci)
- E-Discovery: Building and Sticking to Better eDiscovery Budgets - <http://bit.ly/1e6kwoJ> (Geoffrey Vance, Alison Silverstein)
- ESI Held Hostage – Not Just for Politicians - eDiscovery Journal - <http://bit.ly/18KivN1> (Greg Buckles)
- Exchange Server Encryption Email Error – The Email Admin - <http://bit.ly/GHF0sq> (Jacob Rede)
- Excuse Me, PDF's Instead of Native Files? | @BowTieLaw - <http://bit.ly/19XEDRF> (Josh Gilliland)
- Failure to Collect Evidence Available to, But Not in Possession of, Party Does Not Constitute Spoliation - <http://bit.ly/GFJwYF> (G. Joseph)
- For Successful Discovery, Think Backwards - eDiscovery Best Practices - <http://bit.ly/18M8xKQ> (Doug Austin)

- Four Discovery Management Models for Corporate Counsel (Part 1) <http://bit.ly/1gkRFz6> (Sharon Rusnak)
- Four Discovery Management Models for Corporate Counsel (Part 2) <http://bit.ly/18M9Zx3> (Sharon Rusnak)
- FRCP Reform: Prospects for Reducing Disputes and Gamesmanship - <http://bit.ly/GHFLlj> (Wendy Butler Curtis, Jonathan Palmer, Siobhan Handley)
- Glaxo Asst. GC Weighs in on eDiscovery Rule Changes - <http://bit.ly/1btc9Gk> (Sue Reisinger)
- Judge Eyes Vendor Contracts as ‘Frightening’ Ransoming of Glaxo Data Unfolds - <http://bit.ly/18TNirq> (Robert Hilson)
- KMK’s October E-Discovery Round-Up - <http://bit.ly/1cuXw4G> (Christopher Yoshida)
- Meeting the Challenges of eDiscovery for Financial Institutions - <http://bit.ly/GGhL1i> (Anthony Diana, Therese Craparo, Patrick Garbe)
- My Basic Plan for Document Reviews: The “Bottom Line Driven” Approach – Part Two - <http://bit.ly/1cuUayG> (@RalphLosey)
- New Developments in Social Media Discovery in Employment Cases – <http://bit.ly/15RGpbh> (Evandro Gigante, Jacklina Len)
- Obligations When Third Parties Control Data - <http://bit.ly/GHDBIU> (Barry Kazan, Emily Mathieu)
- Party Ordered to Disclose Where and How It Searched for ESI - <http://bit.ly/1cfl6f> (Ralph Losey)
- Ride The Lightning: Digital Detectives: The Implications of NSA Surveillance for Lawyers - <http://bit.ly/18KilFm> (@SharonNelsonEsq)
- SEC Approves Rule Change Regarding eDiscovery in FINRA Arbitrations - <http://bit.ly/GGikIr> (Josh Ross)
- Supreme Court Denies Petition to Recuse Judge Andrew Peck in Da Silva Moore - <http://bit.ly/GLeA8y> (Monica Bay)
- The Future of US-style Discovery from a UK perspective | e-Disclosure Information Project - <http://bit.ly/GGjMe1> (@ChrisDaleOxford)
- The Legal Intelligencer Blog: eDiscovery Tips to Benefit Your Law Practice - <http://bit.ly/18HgHnY> (Gina Rubel)
- The Legal Issues Associated With Data Encryption - <http://bit.ly/GJ1VUq> (Richard Raysman, Peter Brown)
- Update: Peck, Parties and PredictiveCoding - <http://bit.ly/18MFvuM> (@ComplexD)
- We May Not Be Lawyers, But We Are Professionals – <http://bit.ly/18Hd4ya> (Jeffrey Brandt)
- What Every CIO Needs to Know about eDiscovery and Legal Holds - <http://bit.ly/GJYtZw> (Brian Greenberg)
- Work Product Protection Extends to Oral Communications, Facts, and the Identity of Persons Interviewed – <http://bit.ly/GGh2NA> (G. Joseph)



### ***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.

- Boards Rate Regulation and Compliance as Top Risks - <http://bit.ly/1cuPRDt> (Sue Reisinger)
- Can Trade Secrets Remain Secret Indefinitely? <http://bit.ly/1bz9uHH> (Michael Broadhurst)
- CFAA Violated By Bundling Facebook And Other Social Networking Accounts Without Authorization – <http://bit.ly/GJ0J3g> (Paul Frehling)
- Don’t Leave Cyber-Insurance up to Number Crunchers – <http://bit.ly/18M8Eq2> (Tam Harbert)
- Due Process Demands More Specific Notice for Client Than for Lawyer - <http://bit.ly/GJ1Q38> (Gregory Joseph)
- Draft EU Data Protection Regulation Discussions Stall on One-Stop-Shop Issue - <http://bit.ly/18MaGpZ> (Lionel De Souza)
- EEOC’s Attempt to Prohibit Use of Background Checks Rejected | The Labor & Employment Report - <http://bit.ly/18Kh7tl> (Fiona Ong)

- Employees Who Download Trade Secrets As They Head Out Door Can Be Guilty of TS Theft - <http://bit.ly/1e8fnMP> (Betsy Cook Lanzen)
- Employment Law IQ: Hiring Decisions Based on Social Media Postings - <http://bit.ly/18KhIRE> (Vicki Sproat)
- Ethics: How To Handle A Departing Lawyer's Email Account - <http://bit.ly/GCut1e> (@ITLexOrg)
- EU Move To Regulate The Cloud Could Threaten US Firms | @SiliconANGLE - <http://bit.ly/GHEsmk> (Mike Wheatley)
- Exclusive: In-house Lawyers Looking to LPO - <http://bit.ly/18XPe20> (Justin Whealing)
- Federal Circuit Vacates PTAB Decision On Rambus Patent | PharmaPatents - <http://bit.ly/GCv8Rf> (Courtney Brinckerhoff)
- Fiduciary Regulations, Financial Literacy and the Cost of Compliance - <http://bit.ly/GHDJ4O> (Susan Mangiero)
- Financial Advisors' Use of Social Media | Advisor Tech Tips - <http://bit.ly/GIRz6p> (@PutnamToday)
- FTC Study on "Patent Troll" Behavior: Innovation Enhancers or Competition Killers? <http://bit.ly/1cuWVQG> (Jay Levine)
- Gender-Harassment Case Shows Gap in Discrimination Rules - <http://bit.ly/GGXSbw> (Rebekah Mintzer)
- HP Ponemon Cyber Attack Study Shows Cyber Attacks, Costs Rising – The Solution is Big Data, People - <http://bit.ly/1cuYw8W> (John Caseretto)
- Judge Wood Proposes Changing Jurisdiction for Patent Cases - <http://bit.ly/1bz6POh> (Lisa Schuchman)
- Lessons for Lawyers From Startup Companies - <http://bit.ly/GCtD18> (Jay Edelson)
- Making Internal Investigations Effective, Fair to Employees - <http://bit.ly/1bz6DP1> (Jonathan Sack, Curtis Leitner)
- Next-Generation Information Governance (A New Way Forward for Financial Services Organizations) <http://bit.ly/GHFpuZ> (Christopher Preston)
- Protect your Board from Merger and Acquisition Lawsuits with these Five Critical Considerations – <http://bit.ly/1cuWJ3U> (Gregory Bader)
- The Need to Update Noncompetes, and the Legal and Practical Issues Associated With Doing So - <http://bit.ly/18M9NxB> (Bernard Bobber)
- Social Media Privacy Protection May be Coming to Florida, But Does the Bill Go Far Enough? <http://bit.ly/1cuS3Lg> (Andrew Hinkes)



### ***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.

- 7 Tips To Cut eDiscovery Dollars – @JDSupra - <http://bit.ly/GJ24Hy> (@KrollOntrack)
- 2013 Law Technology News Innovation Awards Nominations Now Open - <http://bit.ly/GCty0B> (Monica Bay)
- @Legal Discovery Adds New 'Near-Similarity' Document Identification Feature to CasePoint - <http://bit.ly/15TjpIX> (@Marketwired)
- Adobe Source Code Hack Presents Serious Risk To Enterprise Customers | @SiliconANGLE - <http://bit.ly/GJ0Bke> (Mike Wheatley)
- Applied Discovery Case Summary Alert – October - <http://bit.ly/GM2iNp> (@DiscoverApplied)
- Applied Discovery® Posts Relativity RCA Exam Passing Rate Double National Average - <http://prn.to/16F6yL7> (PR Web)
- Association of Corporate Counsel Selects @Modus as Its Premier eDiscovery Alliance Partner - <http://prn.to/1cjCC8z> (PR Newswire)
- BIA and Consilio Partner to Accelerate Global eDiscovery Projects - <http://bit.ly/1bzJFaj> (Press Release)
- Britain's Fraud Prosecutor Sees No Conflict in Autonomy Probe - <http://trib.in/GCu3I5> (Reuters)
- Catalyst Announces Program to Explore Role of TAR in Solving eDiscovery Review Challenges - <http://bit.ly/1bt6AaP> (@Marketwired)

- Catalyst Repository Systems Expands Asia-Pacific Presence With New Office in Korea - <http://bit.ly/19T4jPu> (PR Web)
- Catalyst Sets Up Shop in Seoul - <http://bit.ly/18M9XoI> (Angela Hunt)
- CDS Legal Opens New Version of Cloud E-Discovery - <http://bit.ly/1bkYTjm> (Sean Doherty)
- Critical Data Services Partners with Index Engines to Offer Tape Indexing and eDiscovery in Europe - <http://bit.ly/GCtDm5> (Press Release)
- CyTech Services Names Christopher M. Jones Director of Training - <http://bit.ly/GCv1F6> (PR Web)
- DisclosureNet™ Announces New OEM Agreement with IBM - <http://bit.ly/GIYJba> (PR Web)
- eDiscovery Developments in Singapore and Hong Kong - <http://bit.ly/1bl35Qm> (Mayer Brown)
- EDRM Announces 2013 Mid-Year Meeting - <http://yhoo.it/19eY8Kp> (@Marketwired)
- Enhanced KPMG Discovery Radar® Reduces e-Discovery Costs - <http://prn.to/17tevk5> (PR Newswire)
- Ensuring Compliance through Information Governance – @Recommind - <http://bit.ly/18KiSHI> (@NickPatience)
- Enterprise Barrister Quits to Launch eDisclosure Set - <http://bit.ly/GLeoq7> (Joanne Harris)
- Falcon Discovery Earns a 3-Year Managed Services Engagement With Fortune 20 Company - <http://bit.ly/GCuOBL> (Press Release)
- Five Ways to Identify a Top Class eDiscovery Provider - <http://bit.ly/GCUk93> (Casey Van Veen)
- FT Recognizes Axiom Mark Harris with 2013 Innovative Lawyers Special Achievement Award - <http://bit.ly/18M7A5ln> (Business Wire)
- Growing List of Law Firms Use Microsystems' Metadata Scrubber - <http://bit.ly/19UEcal> (Victor Li)
- HAYSTACKID Opens New Office in Denver to Broaden Footprint in the West - <http://bit.ly/19fMZcw> (PR Web)
- Huron Consulting Group Announces Two Prestigious Accreditations - <http://bit.ly/1dVTgsZ> (Business Wire)
- Jason Baron Joins the Drinker Biddle Information Governance and eDiscovery Team - <http://bit.ly/15Re9pl> (@ChrisDaleOxford)
- Join @OrcaTec - Gartner Symposium/ITxpo 2013 | Orlando, FL | CIO Conference - <http://buff.ly/1bl9ZF2> (#GartnerSym)
- Kroll Ontrack Launches In-Country and Onsite eDiscovery Processing Capabilities in Europe and Asia - <http://bit.ly/15JqKpf> (Business Wire)
- LDM Global eDiscovery Professional, Jennifer Holt, is Awarded CEDS Certification - <http://bit.ly/19Tk1tR> (PR Web)
- LexisNexis Introduces Secure Client Portal to Small Law Market - <http://bit.ly/1dY5xwY> (Business Wire)
- LexisNexis and WatchDox Launch Client Portal for Small Law Firms – <http://bit.ly/GCtyxL> (Victor Li)
- Logikcull Shares and Tags Electronic Data Discovery - <http://bit.ly/15RbxHY> (Sean Doherty)
- MongoDB Becomes King of NYC Startups With \$1.2 Billion Valuation – Businessweek - <http://buswk.co/1fO6Xyo> (Sarah Frier)
- Nine Summaries of Early Case Law on Computer-Assisted Review - <http://bit.ly/19DB4Qw> (Michael Pitch)
- Nuix Director Makes the Hard Work of eDiscovery Easier with Automated Workflows - <http://reut.rs/15LPT2w> (@Reuters)
- OrcaTec Joins EDRM – <http://bit.ly/15TQTaj> (EDRM)
- Pitney Bowes Completes Sale of its Management Services Business to Apollo Funds for \$400 Million - <http://bit.ly/19h0oRA> (Announcement)
- Predictive Coding and eDiscovery in 2015 and Beyond – Presentation from LTNY 2013 - <http://bit.ly/16930hK> (Daniel Martin Katz)
- PROTECT Selects Guidance Software and Digital Intelligence to Help Wounded Warriors - <http://on.mktw.net/198Uheb> (Business Wire)
- Radicati Group Names OpenText a ‘Top Player’ in ECM Market - <http://prn.to/18KaNT5> (PR Newswire)
- September Edition of Notable Cases and Events in eDiscovery (PDF) - <http://bit.ly/1bl2o9B> (Sidley Austin)
- Surface 2 and Pro 2 Tablets Integrate With Microsoft's Office Suite - <http://bit.ly/GCsQRZ> (Marcus Bluestein)
- Symantec to Webcast Quarterly Earnings Call - <http://on.mktw.net/1bzhKrd> (@Marketwire)
- TechLaw Solutions Reaches Milestone 30th Anniversary - <http://bit.ly/19f4BFl> (@Marketwired)
- Ten Minutes with Sevag Ajemian (Globanet) - <http://bit.ly/1a4D98l> (Savag Ajemian)

- The EDRM's New Computer Assisted Review Reference Model: Explained - <http://bit.ly/GCrvd4> (Michelle Lange)
- Thomson Reuters: New Chief Transformation Officer, Five Percent Editorial Layoff - <http://bit.ly/1bwLF3h> (Monica Bay)
- Valora Technologies Inc.: 25 Cool Valora Things - <http://bit.ly/GJ2WeY> (Sandra Serkes)
- Video: Computer-Assisted Review – What Litigators and In-House Counsel Need to Know - <http://buff.ly/1fO1QhY> (Herb Roitblat)
- Washington University Debuts Cyber Security Masters Program - <http://bit.ly/168WFCU> (Victor Li)
- Xerox Litigation Services Attains Prestigious ISO 27001 Certification - <http://bit.ly/15RH3Wn> (@Xerox\_XLS)
- YesLaw Launches 'Official Transcript Generator' in the Cloud - <http://bit.ly/19gZHYm> (Sean Doherty)
- ZyLAB Upgrades eDiscovery Bundle, Adds Automated Redaction - <http://bit.ly/18M9RgM> (Victor Li)



### ***Industry Conferences, Events and Meetings***

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

#### **OCTOBER**

##### **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.](#)

##### **7th Annual eDiscovery Summit – COALSP**

October 11, 2013

Denver, CO

[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.](#)

**ARMA Live 2013**

October 28-30, 2013

Las Vegas, NV

[Click here for more information.](#)

**NOVEMBER****KMWorld 2013**

November 6-8, 2013

Washington, DC

[Click here for more information.](#)

**2013 eDiscovery Leadership Conference**

November 15, 2013

Hollywood, FL

[Click here for more information.](#)

**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****FEBRUARY****LegalTech New York, 2014**

February 4-6, 2014

New York, NY

[Click here for more information.](#)

## MARCH

### ABA TECHSHOW

March 27-29, 2014

Chicago, IL

[Click here for more information.](#)

## MAY

### FOSE

May 13-15, 2014

Washington, DC

[Click here for more information.](#)

## AUGUST

ILTA 2014

August 25-28, 2014

Nashville, TN

[Click here for more information.](#)

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