

## Unfiltered Orange | Weekly eDiscovery News Update - March 30, 2011

Compiled by [Orange Legal Technologies](#) from online public domain resources, *Unfiltered Orange* is a weekly newsletter designed to inform and educate legal professionals on key stories, developments, and announcements in the electronic discovery field. For up to the minute news updates, visit [@OrangeLT](#) on Twitter.



### eDiscovery News *Content and Considerations*

- 2nd Circuit Grants Standing in Challenge to FISA - <http://tinyurl.com/4fj3a72> (Mark Hamblett)
- As Bulging Client Data Heads for the Cloud, Law Firms Ready for a Storm - <http://tinyurl.com/45rvwyo> (Joe Dysart)
- Bates Numbering ESI & Other Dates with a Recycle Bin - <http://tinyurl.com/4dm99md> (Josh Gilliland)
- Brand Owners Could Stop Keyword Triggers That Benefit From Their Reputation, Says ECJ Advisor - <http://tinyurl.com/4h8tez2> (Pinsent Masons)
- Bringing Reasonableness to Undue Burden - <http://tinyurl.com/4zlxooy> (Josh Gilliland)
- Cloud Computing Hinders Foreign Data Collection: Australian Federal Police - <http://tinyurl.com/4h9bmo5> (Chloe Herrick)
- Conscious Indifference to Legal Hold Duty Equals Bad Faith Finding and Terminating Sanctions - <http://tinyurl.com/4lrpoqt> (Dean Gonsowski)
- Court Orders Monetary Sanction of \$250,000, that Defendant Provide the Court's Order to Plaintiffs in All Cases, and that Defendant File the Order in Every Case for 5 Years - <http://tinyurl.com/4mzz6f9> (K&L Gates)
- Decision Limits Scope of Discovery After Special Appearance - <http://tinyurl.com/4co2a8w> (Matthew Calgur)
- Dismissal Over Web Posting Raises 1st Amendment Issue - <http://tinyurl.com/4p9gjns> (John Pacenti)
- E-Discovery Holds Strategies for Criminal Defense - <http://tinyurl.com/4j8nma6> (Norman Simon, Brendan Schulman, Samantha Ettari)
- FDA Prescription for Online Medical Confusion - <http://tinyurl.com/4bj3r2q> (Doug Wood)
- Friends Without Benefits (of Privacy and Confidentiality) - <http://tinyurl.com/4sqdxyk> (Drew Manary)
- Feng Shui False Tweets - <http://tinyurl.com/4nhmhmi> (Josh Gilliland)
- HIPAA Enforcement on the Rise: Do You Know Who Your Business Associates Are? <http://tinyurl.com/4lat5z5> (Stephen Bentfield)
- If You Are Going to Talk About Your Boss, Be Sure to Use Your Inside-Voice - <http://tinyurl.com/4f9nz6h> (Phil Ryan)
- In-House Electronic Teams Expanding EDRM Capabilities - <http://tinyurl.com/4f9674f> (Alan Brooks)
- Intellectual Property Theft Fuels Underground Cyber Economy - <http://tinyurl.com/4grev7p>

(Dean Takahashi)

- Is It Time for EU-U.S. Consensus on Online Privacy? <http://tinyurl.com/4qcq8uz> (Lora Bentley)
- Is Your E-Discovery Solution Causing You “Irreparable Harm”? <http://tinyurl.com/4tavkuw> (Tim Leehealey)
- Is Your Free E-mail an Ethics Violation? <http://tinyurl.com/5vwgrdw> (Josh Camson)
- Judge Have Mercy, The Dog Ate My Discovery - <http://tinyurl.com/4h8w3yr> (Edward Piasecki)
- Lawyer, Firm File Suit Over "False Review" <http://tinyurl.com/4l4txw2> (Brenda Sapino Jeffreys)
- More Discovery Woes from Web 2.0 - <http://tinyurl.com/4jz83au> (Joe Dysart)
- Operation “Night Dragon”: A Data Breach Illuminated - <http://tinyurl.com/48uczlv> (Sharon Nelson, John Simek)
- 'Pension Committee' -- One Year Later - <http://tinyurl.com/46ujdkw> (William Dodds, Philip Yannella, Ben Barnett)
- Search Method Validation or eDiscovery Standards? <http://tinyurl.com/6hjsbkn> (Sonya Sigler)
- Seven Seas Cruises; Gaps in the Production Examined - <http://tinyurl.com/48h8jgk> (Roland Bernier)
- Show Me The Evidence - Use of Social Media Information at Trial - <http://tinyurl.com/4pzfnjk> (Stephen Finley)
- Spoil Evidence and Spoil Your Savings - <http://tinyurl.com/4n6ffef> (Gina Barbieri)
- The End of Digital Forensics? <http://tinyurl.com/2ec5kyu> (Craig Ball)
- The Risks of Reusing Wiped Media for Productions - <http://tinyurl.com/5rfse4v> (Greg Buckles)
- Silence on ESI Causes Trouble in “Paradise” <http://tinyurl.com/4t5awmm> (Michael Tucker)
- Website Privacy Policy Supports Pseudonymous Poster's Expectation of Privacy - <http://tinyurl.com/4pa6j7l> (Venkat Balasubramani)

### *Reports and Resources*

- A Day without a Search Engine: An Experimental Study of Online and Offline Search (PDF) <http://tinyurl.com/624us4z> (Chen, Jeon, Kim)
- A View and Some Estimates on Market Concentration of Spend in the US Legal Industry - <http://tinyurl.com/4n46ebu> (Rees Morrison)
- Bribery Act 2010 Guidance in the UK - <http://tinyurl.com/4fbkvtc> (BPE Solicitors LLP)
- Info360 AIIM President's Keynote Presentation - <http://tinyurl.com/4nk5cgc> (John Mancini)
- ILTA Exchange 2010 White Paper - <http://tinyurl.com/65uddcd> (ILTA)
- Judges' Guide to Cost-Effective E-Discovery - ePub Version - <http://tinyurl.com/46we6r3> (Anne Kershaw, Joe Howie)
- School of E-Discovery: Online Course Aims to Help Lawyers Bone Up - <http://tinyurl.com/4628mqo> (Arin Greenwood)
- State and Federal Cases from the Public.Resource.Org RECOP Project - <http://tinyurl.com/4eavoy8> (Rutgers)
- The InfoGov Community - <http://www.infogovcommunity.com/> (IBM)
- The ACC Value Challenge: Tool and Tips - <http://tinyurl.com/4j3oqsk> (Association of

Corporate Counsel)

### *Technology and Tactics*

- Bank Security Experts Play Up Social Risks - Identity Data a Commodity in Underground Economy - <http://tinyurl.com/4j4ob7n>(Liz Tay)
- Buying Into the Cloud: Two Trends - <http://tinyurl.com/49ay69l> (Michael Singer)
- Cloud Economics And The Customer Experience - <http://tinyurl.com/4t6tdfs> (Joe Weinman)
- "Creative Destruction and Copyright Protection" <http://scr.bi/flFhEx> (Bart Cammaerts, Bingchun Ming)
- Data Gaps Plague Process Initiatives - <http://tinyurl.com/49heyvg> (Rajan Chandras)
- Do Law Firms Capitalize on their Collective Intelligence? <http://tinyurl.com/4eaf9fp> (Ron Friedmann)
- Cloud's Next Benefit: Helping Companies Grow - <http://tinyurl.com/4jcoa9e> (Jeanne Harris, Allan Alter)
- Email Storage Growth – Perspective for the Information Age - <http://tinyurl.com/4cechan> (Bob Spurzem)
- Exchange Server 2010 and UDP Support - <http://tinyurl.com/4zryjnw> (Mike Rede)
- Federal Cyber Attacks Rose 39% In 2010 - <http://tinyurl.com/4rzeeye> (Elisabeth Montalbano)
- Five Tips For Digital Preservation of Web Archives - <http://tinyurl.com/4nojfx7> (Mark Middleton)
- General Electric Turns to Twitter to Defend Its Tax Practices - <http://tinyurl.com/4d2gufc> (Uri Friedman)
- Gmail, Hotmail Pose Government Security Risk - <http://tinyurl.com/46fae74> (Mathew Schwartz)
- How a Corporate Change Spurred the Need for 'The Wiki' <http://tinyurl.com/4j96r3o> (Lauren Cox)
- Legal Billing Rates: The Next Wave - <http://tinyurl.com/4kkcmpl> (John Wallbillich)
- No More Backup: An Easier, More Cost-Effective Path to Protecting Unstructured Data - <http://tinyurl.com/4hyhwz3> (Chris Schin)
- No Surprise: Online Research Beats Manual Research - <http://tinyurl.com/4olaewj> (Law Librarian Blog)
- States Split Over Warrantless Searches of Cellphone Data - <http://tinyurl.com/4dn6f2t> (Stephanie Ward)
- Tech Giants Push Smart Networking Standard - <http://tinyurl.com/4he5yd6> (Thomas Claburn)
- Technology Plays Key Role in Improving E-Discovery Document Review According to Xerox Survey - <http://tinyurl.com/4tmphde> (Business Wire)
- The Information Security Challenges of Virtualisation - <http://tinyurl.com/4n7gzqu> (Tim Bovy)
- Unified Communications Goes Social - <http://tinyurl.com/4g7h4wc> (David Carr)
- Web Attacks Can Diminish Your Good Name, But Something Can Be Done - <http://tinyurl.com/4jism2po> (Barbara Rose)
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Why LinkedIn Should Be Your New Homepage - <http://tinyurl.com/4cmd39t> (Chad Bockius)

- Why the ABA Survey Gets it Wrong on Blogs - <http://tinyurl.com/492udr7> (Robert Ambrogio)

### *Twitter Hashtags of the Week*

- [#ABATechShow](#)
- [#eDiscovery](#)

### **Vendor Views** *Industry Landscape*

- A New State of the Art Headquarters Facility to Support eDiscovery Growth - <http://tinyurl.com/4u7utdb> (Orange Legal Technologies)
- Autonomy Embraces Uncertainty, Disses the Rest - <http://tinyurl.com/4bfw76h> (Quentin Hardy)
- Cloud Email Archiving Provider LiveOffice Minimizes Email Overload and Accelerates Review Time - <http://tinyurl.com/4jclke2> (Business Wire)
- Consona Adds Social Media To Knowledge Management - <http://tinyurl.com/4zeyq6n> (Alison Diana)
- DocsCorp Spreads the Discovery Net - <http://tinyurl.com/4t4ksep> (Image and Data Manager)
- eTERA Consulting Announces Opt1mum One Managed Services for Information Management and eDiscovery - <http://tinyurl.com/45rxytq> (PRWeb)
- Exterro's E-Discovery 360 Blog Announces Name Change to Eliminate Confusion With InterLegis - <http://tinyurl.com/4chzynh> (Marketwire)
- FTI Consulting, Inc. Announces Executive Appointments - <http://tinyurl.com/4nf9fec> (PR Newswire)
- iConect Expands Sales Consultancy with Jim Steene and Jonathan Wiley - <http://tinyurl.com/4l4rgpr> (Press Releases)
- kCura Upgrades Relativity Analytics - <http://tinyurl.com/4bdwv5s> (Debra Motyka Jones)
- Kroll Ontrack Supports Range of Virtualized Systems to Meet Complex Data Recovery Demands - <http://tinyurl.com/4smjcpe> (Business Wire)
- Levit & James' Best Authority Now Used by More Than 500 Companies, Including 70 of Largest 100 Law Firms - <http://tinyurl.com/4zxcz35> (Press Release)
- Merrill Unveils Three New Features in Merrill LTR (Lextranet® Transcript Repository) Release 5.13 - <http://tinyurl.com/4nehvx3> (Business Wire)
- Mountain States Imaging, LLC Selects Lateral Data Viewpoint™ to Anchor eDiscovery Expansion - <http://tinyurl.com/4bkmjnp> (PR Newswire)
- NetBackup 7.1 Cozies up to NetBackup RealTime to Deliver Any Size Backups and Restores in No Time - <http://tinyurl.com/4qk8wjf> (Jerome Wendt)
- New Mobile Early Case Assessment and eDiscovery Service Announced by eOrigin - <http://tinyurl.com/4p8p6qu> (Legal IT Professionals)
- Nextpoint Recognized as an OnDemand Top 250 Global Winner - <http://tinyurl.com/4w3em2f> (Press Release)
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Orion Version 4.4 Features New Reporting System - <http://tinyurl.com/4sqgytk> (Press Release)

- Six From Quarles & Brady Earn “Certified E-Discovery Specialists” Designation - <http://bit.ly/dMASaK> (Chicago dBusinessNews)
- Symantec Announces March 2011 MessageLabs Intelligence Report - <http://tinyurl.com/4gftnzi> (Press Release)

**eDiscovery Events April ILTA - INSIGHT 2011** April 5, 2011 London, UK [Click here for more information](#). **13th Annual Sedona Conference on Complex Litigation - The Future of Civil Litigation 2** April 7-8, 2011 Del Mar, CA [Click here for more information](#). **ABA TECHSHOW** April 11 - 12, 2011 Chicago, IL [Click here for more information](#). **The Computer Forensics Show** April 19-20, 2011 New York, NY [Click here for more information](#). **May DoDIIS Worldwide Conference** May 1-5, 2011 Phoenix, AZ [Click here for more information](#). **2011 World Technology Law Conference & Annual Meeting** May 12-13, 2011 San Francisco, CA [Click here for more information](#). **CEIC 2011 Computer Investigations Conference** May 15-18, 2011 Orlando, FL [Click here for more information](#). **LegalTech West** May 17-18, 2011 Los Angeles, CA [Click here for more information](#). **11th Annual Inside Counsel Super Conference** May 23-24, 2011 Chicago, IL [Click here for more information](#). **ACC Europe - Annual Conference** May 29-31, 2011 Berlin, Germany [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 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.

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