

Unfiltered Orange |

Weekly eDiscovery News Update – April 4, 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 Gold Standard for Keyword Searches - bit.ly/Hcgejc (Craig Ball)
- ABA TechShow: Chicago Is Home to Technology Makers and Super Heroes - bit.ly/H8MfTM (Sean Doherty)
- Authentication of Email, Internet and Social Media Evidence - bit.ly/HxmtYp (Gregory Joseph)
- Automating the Legal Hold Process - bit.ly/HxjFuq (Mayer Brown)
- Clearing up Toxic Waste Dump of Digital Data: Legacy Data and Data Remediation - bit.ly/Hbkji6 (Amber Scorah)
- Criminal Law: The Fairness in Disclosure of Evidence of 2012 - bit.ly/H1jBat (Brooke Oppenheimer)
- Cross-Border Discovery – Federal Judge Makes a Monkey of the Cheese-Eaters - bit.ly/GYUuJl (Chris Dale)
- ‘Da Silva Moore’ Plaintiffs Request Recusal for Judge Peck – bit.ly/HgD1Hl (Sean Doherty)
- Dramatic Changes to Federal Rules of Civil Procedure Proposed – <http://bit.ly/Hc6nEz> (Stephen Roberts)
- eDiscovery Case Law: Two Pages Inadvertently Disclosed Out of Two Million May Still Waive Privilege - bit.ly/HclBPo (Doug Austin)
- eDiscovery Down Under: New Zealand and Australia Are Not as Different as They Sound - bit.ly/H0uDcu (Allison Walton)
- eDiscovery: Piercing the “Veil of Secrecy” in State Court Litigation - bit.ly/Hf0JRI (Matthew Prewitt)
- eDiscovery Search and Collection in the Cloud - bit.ly/HmXcFg (John Patzakis)
- Electronic Discovery – False Hits or False Positives - bit.ly/H6FWiO (Amy Bowser-Rollins)
- E-SIN: Court Orders Identification of Suspected Porn Pirates | Gibbons - bit.ly/H8B0uu (Paul Asfendis)
- Expert Discovery Amendments (2010) Narrow Definition of “Retained or Specially Employed” Expert - bit.ly/HcCd9j (Gregory Joseph)
- Following Comments on Cost Allocation, Court Orders Parties to Split Some Costs and Plaintiff Post Bond – bit.ly/Hoez8Z (K&L Gates)
- House Judiciary Committee Member Backs Rules Change - bit.ly/HmZm7O (Robert Owen)
- How Digital Forensics Can Help Reveal Online Fraud - on.msnbc.com/GZ6JOH (Francie Diep)
- Inadvertent Production of Two Privileged Pages Among Over Two Million May Waive the Attorney-Client Privilege - bit.ly/H4l2rb (Gibbons)
- Integrating HR and E-Discovery for Efficient Legal Holds – bit.ly/HLlc5i (Andrew Bartholomew)
- Is A Facebook Page Worth Your Job? eDiscovery And Spoliation In The Age of Social Media - bit.ly/HP0jVf (Jana Landon)
- ISPs Must Turn Over Customer Names in Porn File-Sharing Suit - bit.ly/Hm7kyp (Saranac Hale Spencer)
- Judge David Waxse on Cooperation and Lawyers Who Act Like Spoiled Children - bit.ly/HL1inK (Ralph Losey)

- Judge Peck Asks Plaintiffs To Reconsider Approach To Litigation (PDF) - <http://bit.ly/HQvSKQ> (USDC SDNY)
- Keyword Searches: Great Expectations (and Reality) - bit.ly/HbNSQs (BLLAWG)
- Legal Community Looks to the Cloud for Next-Gen eDiscovery Solutions - bit.ly/H8xUqg (Michele Lange)
- Leveraging Document Review Into a Permanent Position - bit.ly/HckvTO (Elizabeth Collura)
- Live At The eDiscovery Witch Trials – <http://dlvr.it/1P8Wlb> (Katey Wood)
- Machine Learning To Anticipate eDiscovery Not Just To Manage It - bit.ly/HFi4Xw (Chris Dale)
- Much Ado About (Predictive Coding) Definitions - bit.ly/GYVwhb (Craig Carpenter)
- Not So Fast: Race Tires Court Gives Flat to Momentum for Broad ESI Cost Shifting Under 28 U.S.C. §1920 – bit.ly/HewRoz (Mark Sidoti)
- PhotoCop & The Red Light of Admissibility - bit.ly/H18QVF (Josh Gilliland)
- Pippins v. KPMG May Lead To Overpreservation, But Also Teaches How To Avoid It - bit.ly/H1iJmi (Ronni Solomon, Jennifer Maddrey)
- Predictive Coding: 5 Things You Should Know (PDF) - bit.ly/H6CmVU (David Kessler, Florida Baldrige)
- Raising the Awareness of Electronic Discovery in New Zealand - bit.ly/GZU7H6 (Andrew King)
- Remedies for Spoliation of Evidence – bit.ly/Hm9bDu (Robert Kelner, Gail Kelner)
- Save Time, Money and Angst – MEET AND CONFER - bit.ly/HFAUwu (Katherine Gallo)
- Should Federal Law Fill in Gaps in State eDiscovery Law? bit.ly/Hbj3eK (Ignatius Grande)
- The eDiscovery “Passport”: The First Step to Succeeding in International Legal Disputes - bit.ly/H8DHw4 (Philip Favro)
- The Security, Privacy and Legal Implications of BYOD (Bring Your Own Device) - bit.ly/Hnw5Hg (David Navetta)
- Third Circuit Finds That Failing to Produce Original Documents May Constitute Sanctionable Spoliation - bit.ly/Hg7qHE (Gibbons)
- Troll Models | Millnet - <http://bit.ly/Hc8ZII> (Charles Holloway)
- Try It, You’ll Like It (Or Not) - bit.ly/HE5tAA (Sean Doherty)
- Wasted Costs Order for E-Disclosure Failures - bit.ly/H0p3ci (Deborah Blaxell)

Reports and Resources

- Buzz in the Blogosphere: Millions More Bloggers and Blog Readers - bit.ly/HcjLho (Nielsen Wire)
- Cybersecurity: Selected Legal Issues - <http://bit.ly/HdsFeA> (Congressional Research Service)
- eDiscovery Industry Investor Review by VRA Partners, LLC - bit.ly/HcmtDA (Brad Jenkins)
- EnCE Examiners Using EnCase Uncover Alleged Fraud in Facebook Ownership Case – Full Examination Report (PDF) - <http://bit.ly/Hmj3tr> (Steve Salinas)
- Internet Social Networking Risks (PDF) - 1.usa.gov/H8fhCQ (U.S. Department of Justice, Federal Bureau of Investigation)
- Law Technology News – April 2012 Digital Issue - bit.ly/H8rdo7 (LTN)
- Predictive Coding Technology Providers - bit.ly/HKRvOE (@ComplexD)
- Procure Secure: A Guide to Monitoring of Security Service Levels in Cloud Contracts - bit.ly/HbHGgy (ENISA)
- Technology-Assisted Document Review: Is It Really Defensible – Richmond Journal of Law & Technology (PDF) – bit.ly/HgH1HO (Dennis Kiker, Daryl Shetterly, W.W. Belt)
- The Rear View Mirror on Google+: Top 5 Stories From Last Week’s Unfiltered Orange Newsletter - <http://bit.ly/HFuHC6> (@OrangeLT)

Sight and Sound

- Act Two: Legal Tech Pioneers Return to Compete in Legal Tech Market - bit.ly/HmYArY (Monica Bay)
- “Do Not Track” Initiatives Could Create New Premium Online Content Market – bit.ly/HbUChf (Colin O’Keefe, Gerald Ferguson)
- Common eDiscovery Oversight: Underestimating Risk Of ESI - bit.ly/H4rONJ (@OrangeLT)
- Court Affirms Technology-Assisted Review — Now What? (Webinar Recording) bit.ly/GYvyvk (Xerox XLS)
- Impressions From SXSWi 2012: Gartner Fellow Mark McDonald on the Social Organization - bit.ly/HxnaRD (Todd Watson)
- Online Images And Photo Sharing: Comments From Getty Images’ Co-Founder and CEO Jonathan Klein – tcrn.ch/H4xsiF (Colleen Taylor)
- Predictive Coding and Review Roundtable (Podcast) bit.ly/HcjZ8r (Karl Schieneman, Jim Wagner, Warwick Sharp, Tom Gricks)

Technology and Tactics

- A Note of Caution When Suing for Copyright Infringement - bit.ly/Hgwcr2 (Dave Shoumlin)
- Another Cool Tool: The Log Parser Studio - bit.ly/Hbest6 (Casper Manes)
- Cloud and Innovation Driving Use of Open Source Software - bit.ly/HgwVbM (Kathleen Goolsby)
- Cloud Meets Big Data In Healthcare: The Importance of ACOs - bit.ly/Hximvv (Chuck Hollis)
- Coping With Twitter’s Unfollow Bug - bit.ly/Hj7Mep (Jeremiah Owyang)
- Data Gathering: The Dirty Little Secret of Social Networking - bit.ly/HOuX16 (Ron Miller)
- Default Passwords Pose Security Problems for Many Organizations - bit.ly/HxkaVr (John Mello)
- Embracing Digital Services: When Will the Legal Technology Vendors Catch Up? bit.ly/Hcxi8v (Charles Christian)
- Employers Can Still Demand Facebook Passwords After House Vote - bit.ly/Hckj7c (Stephanie Rabiner)
- Federal Judges on Guard Against Jurors’ Social Media Activity – bit.ly/GYTfc1 (Mary Pat Gallagher)
- Found Makes Searching For Files Anywhere Super Simple (And Really Slick) tcrn.ch/HPmTx5 (Colleen Taylor)
- Forensics and Facebook: How Cernam Plans to Collect Social Network Evidence - rww.to/HE2isF (Joe Brockmeier)
- In-House Lawyers Gaining the Upper Hand, Says ACC - bit.ly/HgxCBM (Jennifer Smith)
- Online Privacy: The Fine Line Between Convenience and Creepy - bit.ly/HFwSUM (Kimberly Edwards)
- Organizations Need File Sync & Share AND a Complementary Development Platform - bit.ly/Hmb5nI (Joshua Konkle)
- Law Enforcement Routinely Tracks Cell Phones - bit.ly/HFx4DH (Sharon Nelson)
- MasterCard, VISA Warn of Processor Breach - bit.ly/H3VZoe (Brian Krebs)
- Nearly Impossible to Wipe Personal Data from Some Mobile Devices - bit.ly/HzafC0 (ProofPoint)
- New U.S. Research Will Aim at Flood of Digital Data - nyti.ms/GYRLs0 (Steve Lohr)
- Privacy Please! | Slaw - bit.ly/Hcj7kd (Catherine Sanders Reach)
- Restoring Contemplation: How Disconnecting Bolsters the Knowledge Economy (PDF) – <http://bit.ly/HgpLAL> (Jessie L. Mannisto)
- Scripting with Microsoft Script Explorer - bit.ly/GYSrgT (Casper Manes)
- Social Networking Heads to the Office - on.wsj.com/HFpuKk (Shayndi Raice)
- Supreme Court Holds Privacy Act Recovery Only Available When There is Economic Loss - bit.ly/GYTcqt (Timothy Tobin)
- Though Not Yet Banned, Requiring SocialMedia Information Is a Bad Idea | Littler - bit.ly/H1jcVA (Chris Leh)
- Why Aren’t Companies Better Prepared for Data Breaches? bit.ly/HbezF9 (Catherine Dunn)
- Your Email Password Could Be a Goldmine - bit.ly/HbjYvH (Jeff Orloff)
- Va. Police: Social Media Policy Is Part of ‘Virtual Character Check’ bit.ly/H6V3cb (Young Ha)

Vendor Views

Industry Landscape

- Afognak Native Corporation Enrolls CommVault Simpana Software - bit.ly/HcI4f6 (PR Newswire)
- Australian Securities and Investments Commission Signs Three-Year Contract with Nuix - bit.ly/GYPEEC (Business Wire)
- BIA to Showcase New Social Media, Webmail and Cloud Application Collection Features at ACEDS2012 - bit.ly/HcnOKF (Business Wire)
- BlueStar Case Solutions Continues to Develop Successful Attorney Review Division - bit.ly/Hcnhsl (PR Web)
- Considering eDiscovery in the Cloud? <http://bit.ly/t1ITVP> (@OrangeLT)
- Credence Corp. Unveils Managed Services Platform At ACEDS2012 eDiscovery Conference - bit.ly/Hcnuf3 (i-Newswire)
- Cryoserver: The Freedom of Information Act Applies to Personal Accounts in the Government - bit.ly/HbmKRG (Cryoserver)
- DTI Names Michael Marsilio Director of Information Security and Compliance - bit.ly/HFmKwG (Brendan McKenna)
- Enterprise Vault 10.0.1 Has Been Released - bit.ly/H0KjTf (Glenn Martin)
- Equivio: Zoom to Predictive Coding - bit.ly/HbTRVt (Charles Skamser)
- Executive Interview with CEO Brad Jenkins of CloudNine Discovery – <http://bit.ly/Hc9bl4> (Charles Skamser)
- FTI Consulting Announces Nomination of Directors to Stand for Election at 2012 Annual Meeting - bit.ly/HbjKom (PR Newswire)
- GGO First eDiscovery Technology and Consulting Firm Requiring New Staff to Become CEDS as Condition of Employment – bit.ly/Hog1bH (ACEDS)
- Global Relay Adds Wall Street Veteran - <http://bit.ly/Hc9wEh> (PR Web)
- Google Adds eDiscovery Option to Apps Platform (Comments From Jack Halprin, Craig Carpenter) - bit.ly/H4HrUi (Steve Evans)
- Google Apps Vault Adds eDiscovery Features to Google Apps for Business – bit.ly/HmXOuE (Evan Koblentz)
- Iris Data Services Hires New Account Executive in San Francisco - bit.ly/Hb5r3d (PR Web)
- Kroll Ontrack: Leveraging Cloud-Based Delivery Capabilities for DIY E-Discovery - bit.ly/H6AsES (Kroll Ontrack)
- LDM Global Bolsters US Presence with Key Hires in Sales and Client Services Teams – bit.ly/HgDpWi (@LegallIT)
- Messaging Architects Adds Cloud Migration Capabilities to the Netmail Platform - bit.ly/HrChRK (PR Web)
- Modus Recognized as Relativity Best in Service Partner - bit.ly/GYQ3Ha (PR Web)
- Nancy Daniel of Alteq, Inc. Named Director of Women in E-Discovery's Dallas Chapter – bit.ly/HgF4Lx (Press Release)
- New Product Increases Control Over eDiscovery - bit.ly/HP1VhL (Metropolitan Corporate Counsel)
- Paragon Legal Technology Support Leverages iCONNECT's XERA Platform - bit.ly/HciE1s (PR Web)
- PowerSearch Software Announces Enhanced Search Functionality and Support for all Languages - bit.ly/GYTQUS (PR Web)
- RVM Expands eDiscovery Consulting Practice Through Acquisition of EDiscover-E - bit.ly/HnHOAG (Business Wire)
- Stroz Friedberg and Pangea3 Form Alliance to Offer eDiscovery Services - bit.ly/H8q9AB (Business Wire)
- Syngence Announces SynthetixND Upgrade, Flat-Rate Charter Program – bit.ly/HLhrg8 (Michael Roach)
- Thomson Reuters Hires Former Kroll Exec Nimsger - bit.ly/HE1V1f (Evan Koblentz)
- ZyLAB Warns that EU Data Protection Reforms will Complicate Cross-border Litigation - bit.ly/GYLU5Q (Announcement)

2012 eDiscovery Events

APRIL

ACEDS 2012 Conference

April 2 – 4, 2012

Hollywood, FL

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

eDiscovery and Digital Evidence Conference

May 23 – 25, 2012

Tempe, AZ

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. 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>.