

## Unfiltered Orange | Weekly eDiscovery News Update - April 13, 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*

- A New Verdict on Jury Tweeting - <http://tinyurl.com/6yy1f5y> (Robert McGarvey)
- An iPhone Left in a Locked Bathroom is Not "Abandoned" under the 4th Amendment - <http://tinyurl.com/671vn7j> (Josh Gilliland)
- Broad Federal Court Powers Under Evidence Rule 502(d) - <http://tinyurl.com/3snbeq9> (Christopher Boehning, Daniel Toal)
- Bringing Project Management Skills to E-Discovery - <http://tinyurl.com/3hnns9b> (Pat McCulloch)
- Case Blurb: Santana; Federal Court Cites Florida Law on Spoliation Sanctions - <http://tinyurl.com/3wvt9qx> (Roland Bernier)
- Cloud Computing eDiscovery Risks a Concern - <http://tinyurl.com/5t6qmk6> (Jason Miller)
- Companies Get Creative to Cut Legal Costs - <http://tinyurl.com/3d593f2> (Julie Kay)
- Computer Forensics and eDiscovery – What are their Respective roles in Litigation? <http://tinyurl.com/3lbhc4e> (Studeo Legal)
- Concerned About New Anti-Spam Laws? Get Consent Now - <http://tinyurl.com/3gx7dpz> (Lora Bentley)
- Defendant's Failure to Preserve Results in Sanctions, Including Order for Defense Counsel to Search All of Defendant's Electronic Media and Hard Copy Files for Responsive Information - <http://tinyurl.com/4x3svvh> (K&L Gates)
- Discovery-Rules Changes May Lower Claims-Litigation Costs - <http://tinyurl.com/3db3ff6> (Douglass Banks, Peter Caltagirone)
- Does Attorney-Client Privilege Protect Client E-Mail? <http://tinyurl.com/3vfkboq> (Michael Hutter)
- Does Police Use of GPS Devices Need Supreme Court Guidance? <http://tinyurl.com/3ojhckj> (Joshua Engel)
- eDiscovery has Raised Role, Importance of '30(b)(6)' Organizational Witnesses - <http://tinyurl.com/3p64ftx> (ACEDS)
- Facebook's "One-Button" Tool (Podcast) <http://tinyurl.com/42fj4br> (Monica Bay, Craig Ball)
- Forbes: Metadata, The Freedom of Information Act, and Government Hypocrisy - <http://tinyurl.com/3sztzc6> (Ben Kerschberg)
- For DLA Piper's Sake, Zuckerberg E-Mails Better Not Be Fake - <http://bit.ly/f1V2Qg> (Joe Mullin)
- HIPAA goes HITECH with Substantial Civil Money Penalties - <http://tinyurl.com/3ccy4jf>

(Alan Wernick)

- How Not To Get Sued For Using Facebook And Twitter At Work - <http://tinyurl.com/4542wh2> (Lou Dubois)
- Judge Refers Defendant's eDiscovery Abuse to U.S. Attorney for Criminal Prosecution of Company - <http://tinyurl.com/44m29zn> (Ralph Losey)
- Laptops and Other Electronics May Be Seized on Entry to US - <http://bit.ly/fuu6ft> (Ned Smith)
- Lawyers Who Ignore Social Media Equal to Cavemen Who Refuse to Hunt, Techshow Duo Says - <http://tinyurl.com/3gseahq> (Rachel Zahorsky)
- NLRB to File Complaint over Employer's Reaction to Twitter Post - <http://goo.gl/fb/XkwdS> (Lora Bentley)
- Requests for Social Network Information Were Just A 'Digital Fishing Expedition' Says US Judge - <http://tinyurl.com/3v5f3w9> (Pinsent Masons)
- Social Media: Balancing Employee Rights and Corporate Needs - <http://tinyurl.com/3g8u62h> (Albert Barsocchini)
- State eDiscovery Rules Far From Uniform - <http://tinyurl.com/4y3oxpp> (Anthony Diana, Ethan Hastert, Eric Evens)
- Subpoenas to Non-Parties for ESI Special Problems - <http://tinyurl.com/3tp4u7x> (ACEDS)
- The eDiscovery Definition of Complete Processing is...Complete Processing - <http://tinyurl.com/4y3cszx> (David Cochran)
- The Feds Are on It, and Big Banks Need to Shore Up Compliance Programs - <http://tinyurl.com/3hb5b4f> (Ryan McConnell, David Siegal)
- The Seventh Circuit Electronic Discovery Pilot Program - <http://tinyurl.com/6flz3mt> (Keith Schrodt)
- Think Before You "Data Dump" or Privileges Could Be Waived - <http://tinyurl.com/3by6gnm> (Mara Zazzali-Hogan)
- US Police Increasingly Peeping at eMail, Instant Messages - <http://tinyurl.com/3mwcr7b> (Jeremy Kirk)
- Who Really Sent That E-Mail? <http://tinyurl.com/445ff43> (NYTimes)
- Wikipedia Not Legal Authority in US Federal Courts - <http://bit.ly/eqd4IA> (Peter Vogel)
- Will Your Social Media Expert's Advice Violate the FTC Advertising Regulations? <http://tinyurl.com/4y9xk3t> (Bradley Shear)

### *Reports and Resources*

- Accounting for the Costs of Electronic Discovery (PDF) <http://tinyurl.com/3fnlurb> (David Degnan)
- Database Principles: Addressing Preservation & Production of Databases in Civil Litigation - <http://tinyurl.com/3g8jq73> (Sedona Conference)
- Electronic Data Extraction Network - Current Standards List - <http://tinyurl.com/3hssbgr> (EDEN)
- International Legal Technology Standards Organization - 2011 Guideline For Legal Professionals (PDF) - <http://tinyurl.com/3oaf2bh> (ILTSO)
- Preventing Disclosure of Sensitive National Security Info During Civil Litigation (PDF) <http://tinyurl.com/3j4bz8j> (Todd Garvey, Edward Liu)
- The 451 Group/Project Counsel Global Survey on

eDiscovery/eDisclosure - <http://bit.ly/hi4vSM> (Project Counsel)

- The Winners & Losers of Social Networking (InfoGraphic) <http://tinyurl.com/3u35vkm> (Jolie O'Dell)

### *Technology and Tactics*

- 2010: A Record Year for Cybersquatting Arbitration - <http://tinyurl.com/3s72zgo> (Sheri Qualters)
- 4 Steps in Troubleshooting SharePoint's Outbound SMTP Connections - <http://tinyurl.com/3lmywv4> (Ed Fisher)
- 5 Points to the Gmail Security Checklist - <http://tinyurl.com/3qrxxbv> (Ed Fisher)
- 9th Circuit's Kozinski: Internet Guilty of Killing 1st Amendment - <http://tinyurl.com/3seo4re> (Monica Bay)
- 10 Compliance Tips For SMBs - <http://tinyurl.com/43me6lc> (Michele Pepe-Warren)
- A Follow-Up on Email-Borne Attacks - <http://tinyurl.com/3lt64dm> (Paul Robichaux)
- Congress Urged Leave to Cloud Computing Alone - <http://tinyurl.com/3dj4fyr> (Patrick Thibodeau)
- Copyright, Content Distribution, & Tech Innovation: The Need To Re-Think Compulsory Licensing - <http://tinyurl.com/3ghwv5a> (Kevin Goldberg)
- Disgruntled Ex-Gucci Network Engineer Allegedly Goes on IT Rampage - <http://tinyurl.com/3t66kt5> (Paul Mah)
- France to Require Unhashed Password Storage - <http://tinyurl.com/3dajs9w> (Cory Doctorow)
- Google and FISMA: Missing the Letter of the Law - <http://tinyurl.com/3ts46mm> (Shawn McCarthy)
- If You Read This in Error, Please Forget It - <http://tinyurl.com/3rhkdmc> (John Wallbillich)
- In Evaluating Online Content - Beware the "Farm" - <http://tinyurl.com/4r9zbep> (Wikipedia)
- LinkedIn's New Platform Is All About Identity - <http://tinyurl.com/3ppm8vw> (David Card)
- Microsoft Builds Legal Weapon to Take Apart Botnets - <http://tinyurl.com/6c8r8qb> (Robert Lemos)
- Regulators Ignoring Internet's Real Effects, Lessig Says, and Free Exchange Suffers - <http://tinyurl.com/3ql6mbp> (Rachel Zahorsky)
- Social Media and FOMO? The "Fear of Missing Out" - <http://tinyurl.com/3ee586g> (Jenna Wortham)
- Social Media Strategy Needed - <http://tinyurl.com/3rpa7su> (Eileen Feretic)
- The Real Cloud Imperative Is Greater Simplicity - <http://tinyurl.com/3dx2c3y> (Charles Babcock)
- Troubleshooting Exchange and Firewall Rules - <http://tinyurl.com/426bj9v> (Mike Rede)

### *Twitter Hashtags of the Week*

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

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

- AccessData Releases Mobile Phone Examiner Plus 4.2 - <http://tinyurl.com/6xkau4c> (Business Wire)
- Altep, Inc. Announces Release of Custom-Developed Near Duplicate Detection in Inspicio - <http://tinyurl.com/4x927uu> (PR.com)
- Applied Discovery Makes Unilateral Pledge to Uphold ACC Value Challenge - <http://tinyurl.com/5w4zdf> (PR Newswire)
- Autonomy Enters Into Multi-Million Pact With Major Global Bank - <http://tinyurl.com/3km6dcm> (Jana Weigand)
- Bridgeway Strengthens Software Suite with Enhanced Tax Reporting & Decision Making Capabilities - <http://tinyurl.com/3gbjhoo> (Press Release)
- CommVault Improves Data Protection - <http://tinyurl.com/3bt4gyz> (PR Newswire)
- D4 is Named Relativity "Best in Service" Provider for the Second Year in a Row - <http://tinyurl.com/3q6w6ts> (PR Web)
- Daegis Appoints Proven eDiscovery Experts to Management Team - <http://tinyurl.com/3u66le2> (Press Release)
- doeLEGAL Partners with Duff & Phelps - <http://tinyurl.com/3zqn8oc> (PR Web)
- Eleventh Consecutive Quarter of eDiscovery Growth from Orange Legal Technologies - <http://tinyurl.com/6xuhc3e> (Business Wire)
- Epiq's Expensive eDiscovery Deal - <http://tinyurl.com/3qzf97k> (Brenon Daly)
- Huron Consulting Group Opens UK Document Review Center - <http://tinyurl.com/3bbnwc6> (Business Wire)
- Integreon Launches "Top 5? Podcasts - <http://tinyurl.com/6yqu3ww> (Integreon)
- Iron Mountain Shuttters Two Services: Impact on Cloud? <http://tinyurl.com/3lwc6mz> (Doug Chandler)
- Kroll Ontrack Enhances Technology to Help Businesses Recover Data Effectively from Oracle Databases - <http://tinyurl.com/3fn3f2l> (PR Log)
- LDiscovery Named 2011 Relativity "Best in Service" Partner by kCura - <http://tinyurl.com/3mj7nny> (PR Newswire)
- LiveOffice Adds Hardy as CFO - <http://tinyurl.com/6947m8q> (Press Release)
- Metaswitch Networks Appoints Google and former NetApp Executives to its Board of Directors - <http://tinyurl.com/3htn8t5> (Metaswitch)
- Mitrastech Announces European Expansion, Opens UK Headquarters - <http://tinyurl.com/3rnlhqt> (Business Wire)
- Mozenda: Web Data Extractor - <http://tinyurl.com/3h93oes> (Mozenda)
- Q-Sensei Aims to Provide Complete View of Enterprise Data - <http://tinyurl.com/3mndd9f> (Ron Miller)
- Recommind Continues European Expansion Plans with Multiple Hires - <http://tinyurl.com/6kkm7ad> (Legal IT Professionals)
- TCDI Obtains Unqualified SAS 70 Type II Report - <http://tinyurl.com/6j6ul2u> (PR Newswire)
- Will Apple put EMC's Isilon Unit on the Map? <http://tinyurl.com/3ujblm8> (Larry Dignan)
- World Software Corporation Announces Availability of Hosted (SaaS) Worldox/Web Mobile - <http://tinyurl.com/3pkz6y9> (PR)

**eDiscovery Events April ABA TECHSHOW** April 11 - 13, 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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