Unfiltered Orange |
Weekly eDiscovery News Update – November 7, 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.

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eDiscovery News
Content and Considerations

- Court Orders Retention of Outside Vendor to Collect Responsive Documents, Investigate Possible Spoliation – http://bit.ly/QhOhv5 (K&L Gates)
- Court Rules on What eMail Backup Means - http://bit.ly/QhO6jm (Peter Vogel)
- Cloud Considerations: eDiscovery - http://bit.ly/RLgmpE (K&L Gates)
- Defendant Ordered to Retain Outside Vendor, Monetary Sanction Awarded - http://bit.ly/QhSxdX (Doug Austin)
- "Emails Offered on State of Mind ≠ Hearsay" - http://bit.ly/RuSXIN (Gregory Joseph)
- eDiscovery Certifications Expanding Reach – http://bit.ly/RziiRP (Kacina Shaw)
- eDiscovery: Lessons Learned from Scentsy, Inc. v. B.R. Chase LLC - http://bit.ly/SSv96a (Todd Ohlms, Joseph Fogel)
- Failing to Preserve: Apple, Samsung Narrowly Escape Adverse Inference Instruction - http://bit.ly/RuTGtt (Michael Kozubek)
- Five Questions with Ralph Losey about the New eDiscovery Best Practices (EDBP) Model for Attorneys – http://bit.ly/SXuNJ4 (Dean Gonsowski)
- Five Reasons to Outsource Litigation Support - http://bit.ly/StFgvy (Ralph Losey)
- How to Preserve Data When You Can't Trust Your Adversary - http://bit.ly/Q7xbjf (Judy Selby, Brian Esser, Joshua Rog)
- Judicial Activism: Delaware Judge Orders Both Sides To Use Predictive Coding - http://bit.ly/QaK3VW (Chris Dale)
- Keteltas Comments on eDiscovery Practices in Apple's Patent Infringement Case against Samsung – http://bit.ly/RF1dtm (Baker Hostetler)
- Like it or Not, Predictive Coding is Here and Judges Want you to Use It - http://bit.ly/QaEBlR (Cat Casey)
- My Company May Receive an HSR Second Request – Now What? http://bit.ly/QiciSE (Gabriela Baron)
- New Gartner Report Spotlights Significance of Email Archiving for Defensible Deletion - http://bit.ly/WccDsA (Philip Favro)
- Outsourcing eDiscovery – Firms vs. Corporate - http://bit.ly/RLjlOE (Marilyn Gladden)
- Past Website Content Is Discoverable and Can Come Back to Haunt You in Later Litigation - http://bit.ly/QbATbR (Suzanne Janusz)
- Predictive Coding Metrics Are For Weenies – http://bit.ly/SRF1x3 (Karl Schieneman)
- Recent Court Decisions Remind Legal Teams to Proactively Address eDiscovery Requirements – http://bit.ly/RztUob (Mike Hamilton)
- Remote Control Duty to Preserve - http://bit.ly/StcOd9 (Josh Gilliland)
- Rule 37(c)(1) – Factors for Determining Whether a Failure to Disclose or Make Discovery Is Harmless – http://bit.ly/QhT9QB (Gregory Joseph)

- Social Media Discovery Request Ruled Overbroad – http://bit.ly/SD4KZZ (Doug Austin)
- Spoliation Inference Is Appropriate Sanction in Fraud and Breach of Contract Case -http://bit.ly/Q6LKnj (Lauren Winchester)
- Taking Over Former Employee's LinkedIn Account Not a Violation of Federal Law - http://bit.ly/RM51pa (Mitchell Boyarski)
- The eDiscovery Costs Winners Can Recover - http://bit.ly/QhTjYe (Adam Cohen)
- The Main Messages from eDiscovery Ireland 2012 in Dublin - http://bit.ly/Rz1Cdo (Chris Dale)
- Throwing a Wrench in the Document Review Machine - http://bit.ly/Rzdtbe (Monica Bay)
- Why SSD Drives Destroy Court Evidence, and What Can Be Done About It - http://bit.ly/Rrhs9S (Yuri Gubanov)
- Wreck-IT Ralph: Things in #eDiscovery that I Want to Destroy! http://bit.ly/RL2WKj (Ralph Losey)

Reports and Resources

- 2012 Deloitte-NASCIO Cybersecurity Study - http://bit.ly/Rzd4pn (Deloitte)
- Designing, Implementing, Maintaining and Releasing Legal Holds (PDF) http://bit.ly/RQ41Ao (Browning Marean, Kathy Owen, Bradley Smyer)
- Discovery about Discovery: Sampling Practice and Resolution of Discovery Disputes (PDF) - http://bit.ly/RB0nO8 (Nick Landsman)
- Magic Quadrant for Enterprise Governance, Risk and Compliance Platforms - http://bit.ly/SwhMsd (French Caldwell, John Wheeler)
- Technology Assisted Review Backgrounder Update – http://bit.ly/IiTGtb (@OrangeLT)
- The Grossman-Cormack Glossary of Technology Assisted Review - http://bit.ly/QhUtmD (Maura Grossman, Gordon Cormack)

Sight and Sound

- Are you the Turkey this Thanksgiving? http://bit.ly/RN4gfL (@OrangeLT)
- Case In Point: 30(B)(6) Witnesses? http://bit.ly/RQN2y2 (Tom Fishburne)
- Complex Case Law eDiscovery: Is Predictive Coding a Panacea? http://bit.ly/Q6ve6D (Shannon Kirk)
- Government eDiscovery Needs and Challenges (Audio) - http://bit.ly/SVlTvu (Allison Stanton)
- Litigation Holds: Seven Steps For Companies Facing Lawsuits or Investigations - http://bit.ly/WcbAca (Mary Jacoby)
- TAR Update: Precision, Recall, F-measure & Kleen Products Revisited - http://bit.ly/RR5PJs (Michelle Lange, Ralph Losey)

Technology and Tactics

- 7 Master Data Management Project Best Practices - http://bit.ly/RN6fjZ (Jeff Bertolucci)
- 60-Second Cash Kiosk Hackers Steal $1 Million: FBI - http://bit.ly/RuPIRE (Mathew Schwartz)
- Arrest of Ceglia Who Sued for 84% Ownership of Facebook - http://bit.ly/Q6dTec (Peter Vogel)
- Automated Trading Errors Give Rise to New Compliance Concerns - http://bit.ly/UfGWNL (Fred Reinke, Robert Davis, Zachary Ziliak)
- Big Data in Law: Cloud Challenge, Analytics Opportunity – http://onforb.es/Q6FwUr (Dave Einstein)
- Business Valuation and the Discovery Process – http://bit.ly/RqLQ4f (Terry Silver)
- Consolidation At The Disk Backup Appliance - http://bit.ly/RN5Y0s (George Crump)
- Court Ruling Seems to Overlook the Online Fact v. Opinion Question - http://bit.ly/Rz1ri6 (Eric Johnson)
- Data Governance: Managing Data as an Asset - http://bit.ly/SvlsKR (Evan Levy)
- 'Electronic Discovery' System Streamlines Workflow with District Attorney's Office – http://bit.ly/T0QXtR (Technically Philly)
- EPA Chooses Cloud For Email - http://bit.ly/RzbUdo (Nicholas Hoover)
- First Steps for a Secure Cloud - http://bit.ly/Q6Il85 (Sharon Nelson)
- For UK Midtier, Cloud Is the Great Leveler – http://bit.ly/T0S3FZ (Kim Davis)
- Overview of the New Legal Normal – Report on Futures Conference – http://bit.ly/RF2hNM (Ron Friedmann)

- Text Messaging Between Clinicians Increasing In Hospitals - http://bit.ly/RuPx8X (Ken Terry)
- The Basics of Cloud Forensics – http://bit.ly/QnpBkK (Xath Cruz)
- Trial Lawyers and Social Media - http://bit.ly/Q8qJbO (Cheryl Garber)
- Twitter Announces New Copyright Policy - http://bit.ly/SNz982 (@ITLexOrg)
- Twitter: A Rich Evidence Source in Financial Crime and Compliance Matters, Now Censors Posts by Country – http://bit.ly/Q6JLPG (ACFCS Staff)
- Ways to Help IT Manage Big-Data at Lower Cost – http://bit.ly/RF1rR3 (Maria Korolov)

Vendor Views
Industry Landscape

- About Talent and Technology: Complete Managed Review From OrangeLT™ - http://bit.ly/GR5Jv0 (@OrangeLT)
- Access Data Ramps Up to Take the Gamble Out of Cyber Security - http://bit.ly/RQ9g2Z (PR Wire)
- Advanced Discovery Builds on eDiscovery Expertise with New Staff Additions - http://bit.ly/RQ2QRu (PR Web)
- BIA Announces ACEDS Certification of its Professional Services Management Team - http://sacb.ee/TdZ9a3 (Press Release)
- Celerity Consulting Group Expands Litigation Readiness and Records Management Services - http://bit.ly/QkgC3M (PR Web)
- Concept Searching Partners with Stonebridge - http://bit.ly/RN0WBh (PR Web)
- Concept Searching Selected as Founding Strategic Partner in WAND Within™ Partnership Program – http://bit.ly/RUKXRF (PR Web)
- Digital WarRoom and Zapproved Team Up to Provide Data Preservation Solutions for Corporations - http://bit.ly/QiH9hS (PR Web)
- Discovery Attender For Notes Selected As "Trend Setting Product of 2012″ by KM World - http://bit.ly/SDm3Kk (Press Release)
- DTI Relocates Tampa Office – http://bit.ly/RF2ocn (Press Release)
- Elite Document Technology Acquires Dallas based Peritia Data Discovery - http://bit.ly/QaEXsD (Brad Jenkins)
- eMag Solutions Develops a Plan for Victims of Hurricane Sandy – http://yhoo.it/REZBzH (PR Newswire)
- EMC Launches Massive Wave of Content Management Products and Solutions - http://prn.to/QkeTLW (PR Newswire)
- Epiq Systems Announces Third Quarter 2012 Results Reporting 20% Operating Revenue Growth – http://bit.ly/RwXjza (Press Release)
- Epiq Systems Finds Big Gains Thanks to Electronic Discovery – Kansas City Business Journal – http://bit.ly/SDgLyp (Alyson Raletz)
- Fios: An Interview with Ralph Losey - http://bit.ly/Stdnnt (Rebecca James)
- Fios Honored by kCura as Orange-level Relativity Best in Service Partner - http://bit.ly/RQB9YT (Business Wire)
- Gallivan to Add New Technology and Partners – http://bit.ly/T0TkNr (Evan Koblentz)
- Gavel & Gown Release Amicus Cloud Practice Management - http://bit.ly/Q60YZJ (Sean Doherty)
- Guidance Software Reports 2012 Third Quarter Financial Results - http://bit.ly/SsDw5B (Press Release)
- Idaho Central Credit Union Selects Hyland Software's OnBase Solution to Support Enterprise-Wide Growth – http://on.mktw.net/Q6dtEu (PR Newswire)
- Iron Mountain Reports Third Quarter 2012 Financial Results – http://yhoo.it/Q8qD3R (Business Wire)
- kCura Relativity to Add Processing Engine - http://bit.ly/XfLioN (Evan Koblentz)
- Latest Update: 10 Years of eDiscovery Mergers, Acquisitions and Investments - http://bit.ly/LvFEoF (@ComplexD)
- Loading in Summation – Easy as 1, 2, 3… http://bit.ly/SXtg5C (Keith Schrodt)
- Measuring and Validating the Effectiveness of Relativity Assisted Review – http://bit.ly/SV0QZW (David Grossman)
- Mindseye Introduces All-In-One TunnelVision eDiscovery Appliance - http://bit.ly/QaJ1t9 (PR Web)
- Mitratech Enhances Usability and End User Productivity with Product Enhancements - http://bit.ly/Rr4JUH (Press Release)
- Nilan Johnson Lewis, PA Brings Relativity In-House - http://on.mktw.net/Q6nSAe (Press Release)

- OpenText Management Discusses Q1 2013 Results – Earnings Call Transcript - http://bit.ly/Q8qq0I (Seeking Alpha)
- Pitney Bowes Announces Third Quarter Results for 2012 - http://bit.ly/QaEeI5 (Press Release)
- Sheila Magri Joins FTI Consulting Strategic Communications Practice - http://bit.ly/RLClwt (Press Release)
- Textkernel Selects Autonomy, an HP Company, to Power Document Extraction - http://prn.to/QhSor0 (PRNewswire)
- The Dolan Company Reports Third Quarter 2012 Results - http://aol.it/QaKpfc (Business Wire)
- UBIC Files For A $46 Million IPO - http://bit.ly/SwcxGx (NASDAQ)
- UBIC Forays into Document Translation Business for International Litigation and Due Diligence – http://bit.ly/T0K1wK (PR Web)
- UBIC, INC. Files Registration Statement for Proposed Initial Public Offering - http://bit.ly/Sx29OC (PR Web)
- Xerox Legal Services Supports Mobile Access to OmniX - http://bit.ly/W7oGrb (Evan Koblentz)

2012 eDiscovery Events

NOVEMBER

e-Discovery & e-Investigations Forum
November 8, 2012
London, United Kingdom
Click here for more information.

Corporate Litigation Forum
November 11-13, 2012
San Antonio, TX
Click here for more information.

LawTech Europe Congress
November 12, 2012
Prague, Czech Republic
Click here for more information.

The Litigation Summit and Exposition
November 12-13, 2012
Washington, DC
Click here for more information.

The 7th Annual E-Disclosure Forum
November 15, 2012
London, United Kingdom
Click here for more information.

Information Governance & eDiscovery Strategy
November 27-29, 2012
Munich, Germany
Click here for more information.

DECEMBER

Georgetown Law – The Advanced eDiscovery Institute
December 6-7, 2013
Washington, DC
Click here for more information.

2013 Events

JANUARY

LegalTech New York 2013
January 29-31, 2013
New York, NY
Click here for more information.

FEBRUARY

ACEDS 2013 Annual Conference and Exhibition
February 28 – March 2, 2013
Hollywood, FL
Click here for more information.

MARCH

Legal IT Business Show 2013
March 5-6, 2013
London, United Kingdom
Click here for more information.

The Sedona Conference® Institute's 7th Annual E-Discovery Program: Living On E-Discovery's Cutting Edge
March 21-22, 2013
San Diego, CA
Click for more information.

APRIL

ABA TECHSHOW
April 4-6, 2013
Chicago, IL
Click here for more information.

Laguna Beach eDiscovery Retreat
April 10-12, 2013
Laguna Beach, CA
Click here for more information.

2013 ALA Annual Conference and Exhibition
April 14-17, 2013
Washington, DC
Click here for more information.

MAY

LegalTech West Coast
May 21-22, 2013
Los Angeles, CA
Click here for more information.

 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.