

Unfiltered Orange |

Weekly eDiscovery News Update – August 17, 2011

Compiled by Orange Legal Technologies (<http://www.orangelt.com>) 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 <http://www.twitter.com/OrangeLT>.



eDiscovery News

Content and Considerations

- Adversary Case Assessment: Putting Your ESI To Good Use – <http://t.co/1ttS7Dh> (Jim Shook)
- Bit-By-Bit: A Reality Check - <http://t.co/Ce2Mokj> (Tim Leehealey)
- Costs of Electronic Discovery Growing - <http://t.co/qhqfTld> (Gina Passarella)
- Court Sides with College Accused of Snooping on Student’s Email – <http://tinyurl.com/43ugxwo> (Evan Brown)
- Destruction of Electronic Evidence, Misconduct Lead to \$1 Million Fine, Default Judgment – <http://t.co/GePq8Ce> (Bill Tolson)
- eDiscovery Standards: How Does an Industry Get Them? <http://t.co/EzechAv> (Jason Krause)
- E-Discovery Rules for Florida Approved By Bar; Next Headed To Supreme Court - <http://t.co/hcOBeGb> (Lawrence Kolin)
- E-Mail Discussion Found to Violate Open Public Meetings Act – <http://t.co/ISWTy7c> (Mary Pat Gallagher)
- Exotic Apples: Solutions in Collecting & Processing Apple ESI – <http://tinyurl.com/4xwptqp> (Josh Gilliland)
- Federal Circuit Affirms \$500K Sanction for Litigation Misconduct – <http://t.co/3UNAK9Q> (Mark Michaels)
- FINRA Proposes New Content Rules - <http://t.co/hcXu1Qa> (Chad Bockius)
- For Bad Faith, Intentional Spoliation, Court Imposes Adverse Inference and Monetary Sanctions - <http://t.co/KysdKAz> (K&L Gates)
- Gibson Dunn’s Mid-Year eDiscovery Report Highlights Changes in Sanctions Landscape - <http://t.co/TxZ0PTM> (Dean Gonsowski)
- Government Agencies Look Within to Solve E-Discovery Woes – <http://t.co/vlFg7Wp> (Jason Krause)
- Is E-Discovery ‘Instant Karma’ Gonna Get You? <http://t.co/mlQoLl0> (Leonard Deutchman)
- IT Department Takes on Critical eDiscovery Role – <http://t.co/iJOa3u1> (Christine Taylor)
- Legal Project Management from the Inside: <http://t.co/ehW6tqe> (Sheri Patomaki, Felice Wagner)
- Mailbag: eDiscovery Education for Lawyers - <http://t.co/5q8FGdA> (Sharon Nelson)
- Managing Client Expectations - <http://t.co/PsUyRz7> (Micah Buchdahl)
- Metadata Raises Legal Risks - <http://t.co/ouWrO4H> (Michael Kozubek)
- New eDiscovery Rules on the Horizon? <http://t.co/hwHBatI> (Mathew Nelson)
- Providing eDiscovery Clients With Value – <http://bit.ly/qBm8RG> (Hubbard & Jenkins)
- Raising the eDiscovery Stakes for Unprepared Litigants – <http://t.co/UU3DUNd> (Chris Dale)
- Recreational Hacking: Second Horseman of the Tech Apocalypse – <http://t.co/kkBIqEx> (Douglas Wood)
- Star Trek Meets eDiscovery: Episode Five – Captain Kirk Learns About Sedona Principle Two - <http://tinyurl.com/3oeuuqe> (Ralph Losey)
- Server Virtualization Without A SAN - <http://t.co/ZYktM4b> (George Crump)
- The Legal Traps of Cloud Computing - <http://t.co/yTVJbJs> (Patrick Stafford)
- The Other Shoe Drops in DuPont v. Kolon: Sanctions for Defendant for Spoliation (Weak Legal Hold) - <http://t.co/5uBUZcg> (Brad Harris)

- Using Special Masters to Resolve eDiscovery Disputes – <http://t.co/EzVJmQv> (Emily Stitelman)
- Why eDiscovery in the Mac World May Require “Macsperts” <http://tinyurl.com/453ubpf> (Jeffrey Parkhurst)

Reports and Resources

- A Legal Guide for Digital Journalists - <http://t.co/eOKWff9> (Robert Ambrogi)
- August Issue of American Legal Technology Insider Newsletter - <http://t.co/G23c0vO> (Charles Christian)
- Building a Portable Workstation for Digital Forensics (Podcast) <http://t.co/OpMS7tF> (Karen Reilly)
- Digital Program Guide for ILTA 2011 Now Available – <http://t.co/nvz1ce4> (ILTA)
- From Abernathy to Zielke: ILTA 2011 Speaker Index -<http://t.co/sM7F8Ys> (ILTA)
- Gartner’s Hype Cycle Special Report for 2011 -<http://tinyurl.com/3tq5z9j> (Jackie Feen)
- Legal Technology Leadership Summit 2011 – Speakers – <http://t.co/xkCtd1h> (The Electronic Discovery Institute)
- Pew Internet: Search and Email Top Online Activities – <http://t.co/3AVHVmo> (Kristen Purcell)
- Socially Aware: The Social Media Law Update – Volume 2, Issue 4 – <http://t.co/QdIqS6x> (Morrison & Foerster)
- UK: IP Crime Annual Report 2010-11 (PDF) <http://t.co/6QUIEJb> (IP Crime Group)

Technology and Tactics

- ABA Committee Preparing Technology Ethics Recommendations – <http://t.co/5OHkicw> (Karen Sloan)
- Can Data Breaches Kill? - <http://t.co/ZK2wo2M> (Ericka Chickowski)
- Cloudy Content - <http://t.co/tCp9Tt3> (Robert Boeri)
- Cut the Law Firms, Keep the Lawyers - <http://t.co/1IKFn3f> (Vanessa O’Connell)
- Email is Still Most Popular - <http://t.co/FNgxHkz> (Jeff Orloff)
- Facebook Stalks Mobile Phone Numbers - <http://t.co/YetVNXX> (Kim Davis)
- Get Your Social Media Under Control! - <http://t.co/Mnmeo8u> (Kerry Scott Boll)
- Google+ Posts Now Appear in Google Search Results – <http://t.co/BbKqVz0> (Ben Parr)
- Google Buying Motorola Mobility For \$12.5 Billion – <http://t.co/zC3YjvA> (Peter Kafka)
- Google Law Moves Closer after Search Giant Invests in Online Legal Documents - <http://bit.ly/qTQdon> (Legal Futures)
- Industry Tries to Streamline Privacy Policies for Mobile Users – <http://t.co/YRUdork> (Tanzina Vega)
- Inside Exchange 2010: Resource Mailboxes – <http://tinyurl.com/3qovlnd> (Casper Manes)
- John Waid on Technology and State Budget Cuts – <http://t.co/v42C8TL> (Monica Bay)
- Maryland Decision Raises New Cell Phone Issues – <http://t.co/ZBTo6K9> (Joshua A. Engel)
- N.Y. Police, District Attorneys Endorse Video Recording of Interrogations - <http://t.co/5O3n44Q> (Kristine Hamann)
- Records Management and Compliance for Google Apps – <http://tinyurl.com/3ckjo2t> (RecMan)
- Should Lawyers Google+? <http://t.co/Xq4ZBRd> (Gina F. Rubel)
- Should There be a ‘Right to be Forgotten’ on the Web? <http://t.co/w81MKDW> (Molly McDonough)
- Study Reveals How Professionals Use LinkedIn – <http://t.co/SDPOICP> (Susan Gunelius)
- Subjective Requirements? Things Clients Truly Want But Don’t Specify - <http://tinyurl.com/3v6794h> (Rob Robinson)
- The Email Admin: Dealing With Blank Email Messages – <http://t.co/jM55sud> (Mike Rede)
- Three Reasons Why the Traditional Approach to Backup Persists – <http://t.co/KfqpcLu> (Jerome Wendt)
- UK: ICO Audit Finds Improvements To Google’s Privacy Policies – <http://t.co/6VQpUvK> (ICO)
- UNITIZATION: The Process of Separating Logical Boundaries from Physical Boundaries - <http://t.co/yUYHwRZ> (Bob Sweat)
- Will The London Riots Be The Turning Point For Facial Recognition As A Crime-Fighting Tool? <http://tinyurl.com/3zem2nr> (Kashmir Hill)

Twitter Hashtags of the Week

- [#ILTA11](#)
- [#IEDC11](#)

Vendor Views

Industry Landscape

- Announcements: ILTA Vendor New Product Announcements - <http://t.co/EcRTYmG> (ILTA11)
- AccessData Announces Mobile Phone Examiner Plus 4.4 – <http://t.co/7U9t8Sv> (Business Wire)
- AccessData Earns Top Scores in LTN Vendor Satisfaction Survey – <http://tinyurl.com/4xyufxr> (Business Wire)
- Attensity Selects ISYS Document Filters - <http://t.co/f6CHZQJ> (Business Wire)
- Autonomy's Jack Halprin Expected to Jump to Google – <http://t.co/RT4GjVA> (Monica Bay)
- Bayangos Joins Nuix to Expand Tech Support – <http://tinyurl.com/3smov5> (Evan Koblentz)
- BIA Announces Consolidated Enterprise Network eDiscovery Collections Online - <http://tinyurl.com/3vvetyw> (Press Release)
- BMC Software Middleware Management Solutions Give Customers Insight Into Enterprise Performance - <http://t.co/dOJgteR> (Business Wire)
- C2C Announces Industry First In-Place Legal Hold for Email, Including PST Files - <http://t.co/K1ja2zw> (Marketwire)
- Capital Novus Acquires Technology and Services Company – <http://tinyurl.com/3qtzasr> (PR Web)
- Capitalizing on the Cloud - <http://t.co/LBhUJpt> (Michael Roach)
- Converge This! Xsigo Announces Server Fabric – <http://t.co/qwGt6nL> (George Crump)
- CommVault Named as Strategic Partner with Newly Launched UXC Connect - <http://t.co/hKq5ZXG> (PR Newswire)
- Daegis to Announce Fiscal 2012 First Quarter Results on August 30, 2011 - <http://tinyurl.com/3m7kcxid> (Business Wire)
- Digital WarRoom to Sponsor Sensei Enterprises Podcast Series on Legal Talk Network - <http://tinyurl.com/3wxs4ph> (PR Web)
- EdgeWave Announces Comprehensive Email Protection Suite – <http://t.co/qnc1gzU> (Marketwire)
- H7b1 Unveils Advanced Image Deskewing Services – <http://t.co/BcjMwqP> (Press Release)
- Huron Consulting Replaces Autonomy with Nuix – <http://t.co/FMQLKHm> (Business Wire)
- In-Place Collection and Assessment of Newly Considered and Previously Privileged ESI - <http://t.co/qKUyy4F> (Orange Legal Technologies)
- InterLegis Announces Downloadable Link for Discovery360 Desktop Software - <http://tinyurl.com/3hb2cfh> (PR Web)
- kCura CEO Honored in Fourth Annual MSPmentor 250 Report – <http://tinyurl.com/3wg6kr5> (Marketwire)
- LiveOffice Delivers Record Revenue in Worldwide Sales in Second Quarter of 2011 - <http://t.co/scdZ0SO> (Business Wire)
- Mallesons Selects IntraLinks - <http://tinyurl.com/3jlcxrx> (PR Newswire)
- Mimecast: “Generation Gmail” Finds Importance of Email Retention Policy Not Understood By Weakest Link - <http://t.co/eRKErYz> (PR Web)
- Mitrastech Brings eDiscovery Cost Control to Corporate Counsel; Supports New UTBMS Codes - <http://t.co/dY7DvuD> (Business Wire)
- Nexidia Releases Enterprise Speech Intelligence (ESI) 9.0 With Enhanced Performance Management - <http://tinyurl.com/3ptkbps> (Press Release)
- Orange Legal Extends its Product Range – and its Color Palette - <http://t.co/tMAsVqJ> (Charles Christian)
- OrcaTec Rejects Usual Pricing for Quality Pre-Trial Tools – <http://t.co/EF2dlM2> (PR Web)
- Proofpoint Purchases SORBS Anti-Spam Service Assets – <http://t.co/9vbVtep> (Marketwire)
- Recommend Takes Email Management Mobile With Decisiv Email 3.6 – <http://t.co/1HS1HUd> (Press Release)
- Socialware Cashes In As Finance Gets Compliant – <http://t.co/MBP2dJF> (David Carr)
- The PurpleBox™ for eDiscovery – <http://tinyurl.com/3hsn26e> (Orange Legal Technologies)
- Trial Solutions Changes Company Name to CloudNine Discovery – <http://t.co/x5pWTtq> (PR Web)
- Working Vendor Landscape For Social Business – <http://t.co/X6leguO> (Ray Wang)
- UBIIC Introduces E-Discovery Newsletter Series – <http://t.co/8EOJbJa> (PR Web)

eDiscovery Event Update



Intermountain eDiscovery Conference 2011 is a one-day legal technology conference designed to provide electronic discovery practitioners with information on the latest tools, techniques, and practices of eDiscovery. With practical educational sessions delivered by eDiscovery experts, the Intermountain eDiscovery Conference can help legal professionals more efficiently “manage the mountains of ESI” in their audit, investigation, and litigation activities.

Conference Quick Facts

- Date: September 22, 2011
- Time: 8:30AM MST- 3:00PM MST – Lunch Provided
- Location: Hilton Salt Lake City Center
- CLE: Up to 5 Hours Continuing Legal Education (Utah State Bar Association)
- Fee: \$50 (Materials/CLE/Lunch Inclusive)
- Registration: Online Pre-Registration Required (<http://tinyurl.com/3v3goyj>)
- Twitter Hashtag: [#IEDC11](#)

2011 Speakers Include:

- Ralph Losey – Partner, Jackson Lewis, LLP
- Sharon D. Nelson, Esq. – President, Sensei Enterprises
- John W. Simek – Vice President, Sensei Enterprises
- Ryan G. Baker – Partner, Baker Marquart, LLP
- Tanya N. Lewis – Associate, Richards Brandt Miller Nelson
- Brandon H. Pace – Legal Counsel, eBay
- Mark L. Smith – Of Counsel, Baker Marquart, LLP
- John Munro – CEDS, Vice President and Managing Director – Northwest, Orange Legal Technologies

2011 Topics Include:

- Firestorm! Social Media in Electronic Discovery
- The Challenges and the Latest Solutions to Electronic Discovery in 2011
- Cost Effective Electronic Discovery: Available Options, Affordable Offerings
- Electronic Discovery 301: Beyond the Basics
- Managing and Marketing Your Electronic Discovery Practice: Best Practices and Procedures
- From The E-Discovery Experts: Questions, Answers, and Explanations

For Information Visit: <http://tinyurl.com/3v3goyj>

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.

For Complete Events Calendar Visit: <http://www.orangelt.us/info/events/>.



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- To sign up for our weekly updates, visit: <http://tinyurl.com/258nzu5>.
- For additional information on Orange Legal Technologies, visit: <http://www.orangelt.com>.