Unfiltered Orange |
Weekly eDiscovery News Update – April 27, 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

- 200 Terabytes of Government E-Discovery Abuse – http://tinyurl.com/3rewa7l (Ben Kerschberg)
- 4 Steps to Effective eDiscovery With Software Analytic – http://tinyurl.com/3q564cz (Kenneth Biermacher, Kevin Perkins)
- A Packrat Mentality of Evidence/Document Preservation – http://tinyurl.com/4xofee3 (Eric Abes)
- Corporate Clients' Concerns With Social Media (Video) – http://tinyurl.com/3j6szdj (Jennifer Arkowitz)
- Court Rejects "Shifting Duty" Theory of Preservation, Denies Sanctions Absent Showing that Crucial Evidence was Destroyed in Bad Faith – http://tinyurl.com/3qhh8zh (K&L Gates)
- Courts Respect "Native" Formats in eDiscovery – http://tinyurl.com/3atugg2 (Allison Stanfield)
- Dangers of Manual Self Collections in eDiscovery – Computer Illiteracy Claims Rejected by Court - http://tinyurl.com/3mpwu5l (Studeo Legal)
- Defense Hard-Hitters Tell Supreme Court Subpoena Puts Companies at Risk - http://tinyurl.com/3pbl563 (Sue Reisinger)
- Discussing the Form of Production: Always Good at a Meet and Confer - http://tinyurl.com/3sz3gjj (Josh Gilliland)
- E-Discovery Technology: Are Humans Still Needed for Document Review? http://tinyurl.com/5vmpepg (Daryl Shetterly)
- Every Two Marriages May Fail, But Intimate Photos Last Forever – http://tinyurl.com/6zsf95p (Michael Zoller)
- European Commission Digs into ISP Traffic Management Practices - http://tinyurl.com/3r6p8en (Lora Bentley)
- Facebook Ordered To Reproduce Documents In Native Format – http://tinyurl.com/42wku8a (RCA Law)
- Father's Use of Facebook Did Not Violate Protective Order, Justice Says - http://tinyurl.com/3bkv3hl (Joel Stashenko)
- Finally Forgiveness: Magistrate Recognizes that E-Discovery Software Isn't Perfect - http://tinyurl.com/3dohqf8 (John Tradennick)
- How a Clear Social Media Policy Is a Company's Best Defense – http://tinyurl.com/3o3a7p2 (Patrick Fahey, Susan Murphy)
- How Do You Confront Your Accuser When Your Accuser is Software? http://tinyurl.com/3fmxvzh (Sharon Nelson)
- How Failing to Secure Your Wireless Router Can Get You Thrown Facedown On Your Family Room Floor - http://tinyurl.com/3fxm32t (Brett Trout)
- Manage and Mitigate EDD Costs With Microsoft Exchange Server 2010 - http://tinyurl.com/439wkfn (Bobby Malhotra)
- Metadata Goes to Court - http://tinyurl.com/4xzn2yq (Cynthia Murrell)
- Much Ado About Metadata - http://tinyurl.com/3hsndca (IDM)
- Mt. Hawley Postscript: Bad Facts Don't Help on Appeal – http://tinyurl.com/4xl8hdb (John Tredennick)
- Recovering eDiscovery Costs as a Prevailing Party – http://tinyurl.com/3oxuc6v (Christine Soares)

- Riding the Waves of Early Case Assessment – http://tinyurl.com/67zu9x4 (George Rudoy)
- Safe Harbor: Why EU Data Needs 'Protecting' from US Law – http://tinyurl.com/43r27gf (Zack Whittaker)
- Should Government Agencies Be Able To Exempt Themselves From The Privacy Act? http://tinyurl.com/3vbgh7l (Ben Kerschberg)
- Spoliation & Safe Harbor under Rule 37(e) – http://tinyurl.com/6zxf6n6 (Josh Gilliland)
- Strategies for Operationalizing eGRC - http://tinyurl.com/3q5ojch (Vivian Tero)
- The Discovery Motion with Teeth - http://tinyurl.com/3ve9pk4 (Katherine Gallo)
- The E-Discovery Arms Race… and Tales from the Trenches – http://tinyurl.com/3zwpv3q (Trey Tramonte)
- The Five Hottest Topics in eDiscovery - http://tinyurl.com/3dsftg2 (Sharon Nelson, John Simek, Josh Gilliland)
- The Impact of Advanced eDiscovery Software on Young Lawyers - http://tinyurl.com/3jdxjg4 (Young Lawyers Editorial Board)
- The Latest 'JOLT': University of Richmond's Journal of Law Technology - http://tinyurl.com/3sxjxox (Monica Bay)
- The Low-Tech 5 x 5 Solution to eDiscovery Cost Control - http://tinyurl.com/3qjnyjf (Joe Howie)
- The Quest to Better Utilize Native-Format Production – http://tinyurl.com/3qzo9j7 (Michael Collyard, Vivian Enck)
- Top Ten E-Discovery Issues by Judge Andrew Peck and David Lender - http://tinyurl.com/3p8s28x (Ralph Losey)
- Total Cost of Ownership (TCO) of In-House eDiscovery – http://tinyurl.com/428tyka (Alan Brooks)
- Tweeting, Deleting Help Build Rutgers Webcam Case – http://tinyurl.com/4x874jx (Beth DeFalco, Jennifer Peltz)
- Use Preliminary Conferences to Save eDiscovery Costs – http://tinyurl.com/3eml76y (Michael de Leeuw, Eric Hirsch)
- What Happens To Data When Your Cloud Provider Evaporates? http://tinyurl.com/3fety57 (Lucas Mearian)

Reports and Resources

- 2011 Outsourcing Survey: Chasing Fast And Cheap – http://tinyurl.com/3em3ykb (Michael Healey)
- eDiscovery Institute Announces Legal Technology Leadership Summit (PDF) - http://bit.ly/AmeliaIsland (Press Release)
- eDiscovery Vendor Contract Checklist (PDF) – http://tinyurl.com/3flppb6 (John Barkett)
- Federal Rule of Evidence 502: Has It Lived Up to Potential? http://tinyurl.com/44lzbpn (Hon. Paul Grimm, Lisa Bergstrom, Matthew Kraeuter)
- Law in the Age of Exabytes: Some Further Thoughts on 'Information Inflation' and Current Issues in E-Discovery Search - http://tinyurl.com/3b72ev6 (Jason Baron)
- Legal, Economic and Cultural Aspects of File Sharing – http://tinyurl.com/3gxmgf2 (Joost Poort, Paul Rutten, Van Eijk Nico)
- Negotiating The Privilege Minefield: Attorney-Client Privilege In U.S. and Europe (PDF) - http://tinyurl.com/3ttqcgn (Brady Dugan, Jordan Cowman, Allison Sheedy)
- Re-Examining Search Neutrality - http://tinyurl.com/6j4xv2c (Joshua Wright, Geoffrey Manne)
- Software on the Witness Stand: What Should It Take For Us To Trust It? (PDF) - http://tinyurl.com/3gdkxn7 (Sergey Bratus, Ashlyn Lambree, Anna Shubina)
- Tech-Assisted Review Can Be More Effective and More Efficient Than Manual - http://tinyurl.com/3vn6h8z (Maura Grossman, Gordon Cormack)
- The Cost of eDiscovery: One Tool For Consideration – http://tinyurl.com/3atgkl7 (Orange Legal Technologies)
- The NLJ 250: The National Law Journal's Annual Survey – http://tinyurl.com/42q8bnx (NLJ)

Technology and Tactics

- 6 Factors to Consider when Selecting a Hosted Exchange Provider - http://tinyurl.com/44evu5z (Paul Mah)
- Advisers Failing to Communicate with Clients – http://tinyurl.com/3h622hr (Chad Bockius)

- Amazon Outage Reveals Cloud Danger http://tinyurl.com/3usv3zp (Joe Stanganelli)
- Business Intelligence and Legal Matter Management – http://bit.ly/i98v0q (Ben Kerschberg)
- Cloud Computing Market: $241 Billion in 2020 – http://tinyurl.com/3waqlug (Larry Dignan)
- Computers, Too, Can Give Away Location – http://tinyurl.com/3sjxady (Amir Efrati, Jennifer Valentino-Devries)
- Criminal Charges: The Next Frontier for Libel Tourism -http://tinyurl.com/3zf48bf (Joel Cohen, Katherine Helm)
- Cutting Edge—and Cutting Risk - http://tinyurl.com/3rewa9b (Ben Worthen)
- DARPA Launches Translation Software Initiative – http://tinyurl.com/3rcsqy9 (Elizabeth Montalbano)
- Freedom for the Press as an Industry, or the Press as a Technology? http://tinyurl.com/3j62yzp (Eugene Volokh)
- Government Deduplication Lags Industry - http://tinyurl.com/65h5ffj (Stuart Johnston)
- Government Issued Official Email Accounts for All Malaysians Sparks Online Criticism - http://tinyurl.com/42e9oyk (Francis Tan)
- How To Make Sure Your Company's Data Doesn't Get Stuck In Europe - http://tinyurl.com/3ddz29g (Ben Kerschberg)
- Internet 'Right to Be Forgotten' Debate Reaches Spain – http://tinyurl.com/4x75ddw (Ciaran Giles)
- iPhone, iOS 4 Are Tracking Apple Users' Whereabouts: Report – http://tinyurl.com/3v3go4p (Michelle Maisto)
- Knowledge Management: Connecting the Dots (Video) – http://tinyurl.com/44ej4m7 (Ken Orgeron)
- Managing Inactive Data - http://tinyurl.com/3hopllr (B&L Blog)
- Negligence and Misunderstandings the Real Culprits Behind Data Loss - http://tinyurl.com/3qkz47s (Kelley Bligh)
- Of Clouds And Perceptions Of Risk - http://tinyurl.com/3tcbaqf (Chuck Hollis)
- Prepare for Depositions With the iPad Deponent App – http://tinyurl.com/3srnuwr (Ted Brooks)
- Protecting Mailboxes with Cluster Continuous Replication (CCR) – http://tinyurl.com/3k2hga6 (Mike Rede)
- Sony Admits Utter PSN Failure: Your Personal Data Has Been Stolen - http://tinyurl.com/3bt2cvz (Ben Kucera)
- The Bribery Act 2010 – How Will It Impact The Pharmaceutical Industry? http://tinyurl.com/3jxea4o (TaylorWessing)
- The Economics of Tape - http://tinyurl.com/3uukpm8 (B&L Blog)
- The Tricky Question of Balancing Mailbox Size Limits – http://tinyurl.com/3d75kvr (Mike Wheatley)
- What We Can Learn from the Oak Ridge Attack – http://tinyurl.com/3ov929s (Jeff Orloff)
- Why Dropbox Avoids Industry Buzzwords Like "The Cloud" – http://tinyurl.com/3qczuc5 (Austin Carr)
- Worried About Brand Damage From Social Media? Get Tweet Insurance - http://tinyurl.com/3o4lyg5 (Dan Rowinski)

Vendor Views

Industry Landscape

- ARMA joins ACEDS in an Association Partnership – http://tinyurl.com/44aqym7 (PRLog)
- Association of Certified E-Discovery Specialists and AccessData Users' Conference form Alliance - http://tinyurl.com/3w22sdq (PR Log)
- Autonomy Corp PLC – Q1 FY2011 Results – http://tinyurl.com/44xg6ue (Yahoo! Finance)
- eDiscovery On The Move – OneO® Mobile Access (iPad) – http://tinyurl.com/3geydn4 (Orange Legal Technologies)
- EMC First-Quarter Profit Rises 28% on Storage Product Demand – http://tinyurl.com/3fdbux2 (Dina Bass, Danielle Kucera)
- iBridge Continues Growing its Team; Adds Three New Members – http://tinyurl.com/3pnfmyh (PR Web)
- iCONECT Expands Sales Team with Three Award-Winning Industry Veterans - http://tinyurl.com/3pxs3a5 (Press Release)
- Iris Data Services Expands Remit to Nuix With Implementation of Early Case Assessment Tool - http://tinyurl.com/4xqzxvr (Business Wire)

- Iris Data Services Hires New VP of Client Services – Adds Marilyn Caldwell to Project Management Team - http://tinyurl.com/3j6caea (PR Web)
- Iron Mountain Going Back to Roots in Storage Services – http://tinyurl.com/62k2lda (Lucas Mearian)
- kCura's CEO Named Finalist for Illinois Technology Association CityLIGHTS Award - http://tinyurl.com/3pfbz2w (Marketwire)
- KPMG Meijburg & Co Boosts Productivity With Autonomy's Meaning Based Computing - http://tinyurl.com/3ud4xj5 (PRNewswire)
- Lateral Data's Grant Thornton Relationship Expands Via Viewpoint Deployment at 51 Canadian Offices - http://tinyurl.com/3c89ama (PRNewswire)
- NetSpend Selects Actiance's Socialite SaaS Platform – http://tinyurl.com/4xplv3u (Business Wire)
- OrcaTec Document Decisioning Suite Now Works on iPad – http://tinyurl.com/3v9wjln (PRWeb)
- PageFreezer Announces FINRA-Compliant Social Media Archiving - http://tinyurl.com/3oh5ybd (Press Release)
- Proofpoint Receives FISMA Certification from USDA – http://tinyurl.com/3n928uv (Press Release)
- Protecting the Corporate Jewels? A Forensic Employer Protection Program – http://tinyurl.com/2c5nxf5 (Orange Legal Technologies)
- RenewData Names Jim Blayney CEO and Adds Software Veteran Dean Goodermote to the Board - http://tinyurl.com/423qvog (Business Wire)
- SaaS Security and Compliance Leader Proofpoint Reports Q1 2011 Results – http://tinyurl.com/3k24oyk (Marketwire)
- Social Media Archiving: Nextpoint Rolls Out Real-Time Capture of Twitter Data - http://tinyurl.com/3cddqlz (Legal IT Professionals)
- TERIS Hires Ian Bagger as Director of Client Services for its Growing Bay Area Region - http://tinyurl.com/4335s9m (PRWeb)
- TransPerfect Legal Solutions and Catalyst Repository Systems Announce Partnership - http://tinyurl.com/3dq38z3 (Business Wire)
- VaporStream Survey Finds 73.7 Percent of Respondents Admit Email Compliance Violations - http://tinyurl.com/3fa45cp (Business Wire)
- Vendor Pledges to Follow ACC Value Challenge – http://tinyurl.com/3preak7 (Shannon Green)

eDiscovery Events

May

DoDIIS Worldwide Conference
May 1-5, 2011
Phoenix, AZ

2011 World Technology Law Conference & Annual Meeting
May 12-13, 2011
San Francisco, CA

CEIC 2011 Computer Investigations Conference
May 15-18, 2011
Orlando, FL

LegalTech West
May 17-18, 2011
Los Angeles, CA

11th Annual Inside Counsel Super Conference
May 23-24, 2011
Chicago, IL

ACC Europe – Annual Conference
May 29-31, 2011
Berlin, Germany

June

Techno Security & Digital Investigations Conference
June 5-8, 2011
Myrtle Beach, SC

eDiscovery Readiness for Government
June 6-7, 2011
Arlington, VA

Annual Discovery & E-Discovery Conference (Law Bulletin Seminars)
June 8, 2011
Chicago, IL

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. 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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