

Unfiltered Orange | Weekly eDiscovery News Update – March 13, 2013

Recognized nationally in [Forbes' Law and Technology Blog](#) as a leading source of trusted eDiscovery information, Orange Legal Technologies' [Unfiltered Orange](#) newsletter is published weekly to provide legal and technology professionals with current and relevant news and views related to the discipline of eDiscovery. With content ranging from legislation to lessons, from compliance to competitors and from social media to sanctions, [Unfiltered Orange](#) is your weekly best source for keeping up-to-date with all things eDiscovery.

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eDiscovery Updates

Considerations

- Another Clawback Enforcement Order Shows the Importance of the Selection of Quality Vendors - <http://bit.ly/Y7nov0> (@RalphLosey)
- Apple in Hot Water Over Discovery Failure - <http://bit.ly/YjXB1P> (Jan Wolfe)
- As Malpractice Claims Rise, Managing eDiscovery Risks and Understanding Policies are Key - <http://bit.ly/ZIEUfn> (Nancy Stuparich)
- Avoiding Inadvertent Privilege Waivers: A Primer - <http://bit.ly/Y8epdh> (Licyau Wong)
- Caution: Recent Case Highlights Importance of Broad, Early Preservation Efforts - <http://bit.ly/ZdQWRb> (Peggy Koesel, Tracey Turnbull)
- Court Orders Production of Defendant's Entire Business Database in Trademark Infringement Case - <http://bit.ly/Y6X6t5> (Jay Yurkiw)
- Court Rules Production Must be TIFFs with Bates Numbers – eDiscovery Case Law – <http://bit.ly/YhQAP5> (Doug Austin)
- Defamation And Anonymity: Beware Both Provider And Commenter - <http://bit.ly/YMWojH> (@ITLexOrg)
- Defendant Gets Spoliation Sanctions After Deleting Text Messages - <http://bit.ly/ZIT6Fa> (@ITLexOrg)
- E-Discovery Of Digital Images And Video - <http://bit.ly/YhTKTa> (Cullen Dykman)
- E-Discovery: Savings in the Cloud - <http://bit.ly/Y791qM> (John Tredennick)
- eDiscovery Cost Shifting: The Test Is Imperfect, But It Works - <http://bit.ly/Yfjek2> (Joey Chindamo)
- eDiscovery Daily Blog: Craig Ball of Craig D. Ball, P.C. – eDiscovery Trends, Part 2 – <http://bit.ly/YBWjzb>, Part 3 - <http://bit.ly/ZIRZp1> (Doug Austin)
- eDiscovery Etiquette: Who Should Pick Up the Check? | eLessons Learned - <http://bit.ly/YINBPH> (Corinne Maloney)
- eDiscovery Is Risk Management - <http://bit.ly/YHeDqy> (Alon Israely)
- eDiscovery Journal on Real Experience with Social Media Archiving – and My Own Real-Life Example - <http://bit.ly/YhL1Ab> (@ChrisDaleOxford)
- Five Common Myths About Predictive Coding – eDiscovery Best Practices - <http://bit.ly/Yfd3wm> (Doug Austin)
- Gibson Dunn eDiscovery Report Hails Industry Advances – <http://bit.ly/ZISjnI> (@PhilipFavro)
- Harvard Hacked Staff E-Mails - <http://nyti.ms/Y3o8RY> (Richard Perez-Pena)
- Harvard Offers Explanation for Search of E-Mail Accounts - <http://nyti.ms/Y5UJGU> (Richard Perez-Pena, Jess Bidgood)
- In Minnesota, Amendments to the Rules of Civil Procedure Highlight Proportionality - <http://bit.ly/Y8kCFU> (K&L Gates)

- In Ruling of Firsts, Judge Sanctions Lawyers for PDF Production and Wrongful Certification - <http://bit.ly/WY00ma> (Robert Hilson)
- IP: Avoiding the Hidden Dangers of the Never-Ending Email String - <http://bit.ly/YiDIiw> (Julianne Hartzell)
- Judge Waxse Enforces His Model Clawback Order - <http://bit.ly/YaBPxE> (@RalphLosey)
- Lessons in Technology-Assisted Review Transparency - <http://bit.ly/Y57j9e> (Stuart LaRosa)
- Limitations on Discovery in Inter Partes Review Proceedings: IP Law Alert - <http://bit.ly/Y7Qo5V>(John Cahill)
- New York's Two Prong Analysis For Production Of Social Media - <http://bit.ly/YHirrV> (James Ryan, Sean Gajewski)
- Predictive Coding: Mainstream Adoption In 2013? - <http://bit.ly/YH4tGr> (Barry Murphy)
- Psychotherapist-Patient Privilege, Like Attorney-Client Privilege, Survives Death of Privilege Holder – <http://bit.ly/YaCuiD> (Gregory Joseph)
- Report: Predictive Coding Replaces Sanctions as the Big News in eDiscovery - <http://bit.ly/Y4prOK>(@BobAmbrogi)
- Review and eDiscovery Fees (\$2.8M) Awarded in Gabriel Technologies, et al v. Qualcomm Incorporated, et al, Slop copy (2013) <http://bit.ly/Y78Cog> (Julia Romero-Peter)
- Seven Ways Concept-Based Auto Categorization Tames Big Data - <http://bit.ly/Yk0XSD> (Steven Toole)
- Six Questions to Ask Before You Process Lotus Notes Data - <http://bit.ly/Y7869B> (Duane George)
- ‘Social Network’ Part Two As Snapchat Gets Winklevossed - <http://bit.ly/Y7hytG> (@ITLexOrg)
- Solving the Biggest Problems of eDiscovery - <http://bit.ly/16dEcUN> (Sue Reisinger)
- Tackling Social Media Challenges - <http://bit.ly/ZnzlNF> (Allison Walton)
- What Does “Big Data” Means in Terms of eDiscovery? <http://bit.ly/ZISMq8> (Samantha Green)

Levity

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“E-mail, voice mail, text messages, contacts, appointments, reminders, social media, news, sports, weather, banking...that’s a lot of responsibility for such a little guy!”

Risk

- Anti-Corruption Compliance Check-Ups - <http://bit.ly/Y4D9Db> (Michael Volkov)
- Apple and Samsung Ruling Provides Clarity on Tests for Patent Priority Date and Novelty, Says Expert - <http://bit.ly/YcGX4f> (Pinsent Masons)
- Beware Darth Vader – The SEC Jedis are Here! <http://bit.ly/Y7heuW> (@SharonNelsonEsq)
- Compliance Risks to Consider When Outsourcing Clinical Research to CROs in China - <http://bit.ly/YhKjmd> (Grace Lee)
- EU: WP29 Calls For Binding Data Transfer Mechanisms in the Regulation – [@DataGuidance](http://bit.ly/WTc5WW)
- European Commission Fines Microsoft \$732 Million Dollars Over Browser Choice - [@BradleyShear](http://bit.ly/ZbWoL9)
- FTC Text Spam Enforcement on the Rise - <http://bit.ly/Y4q6Bu> (Michelle Kisloff, Mark Brennan)
- German Courts Rule on Works Council Independence and Deletion of Email Accounts - <http://bit.ly/YHlr7R> (Hunton & Williams)
- German Court Says Facebook Not Subject to German Law | Socially Aware Blog - <http://bit.ly/YdZzRi> (Karin Retzer)
- Has the Auditor Deemed You a “Person of Interest?” [@IronMountain](http://bit.ly/Yclw2j)
- ICANN Domain Expansion Means More Work to Protect Brands Online - <http://bit.ly/YhEhm5> (Lisa Schuchman)
- Limiting Intra-Company Conversations About Disputes is Critical | The In-House Advisor - <http://bit.ly/ZIQjvS> (Shep Davidson)
- Line in the Sand: Siemens Argentina Case Limits Personal Jurisdiction Under FCPA – <http://bit.ly/ZsOIKc> (Thad McBride, Cheryl Palmeri)
- Major Patent System Change Effective March 16, 2013: First to File – [@TrentDykes](http://bit.ly/Y772T7)
- The EU’s ‘Right To Be Forgotten’: What Data Protections Are We Missing in the US? <http://onforb.es/ZrfahE> (Michael Venables)
- The Greatest Blog Post About Deceptive Advertising Ever Written* | eMedia Law Insider - <http://bit.ly/Y9Hhkh> (Travis Crabtree)
- The Need For An FCPA Lingua Franca - <http://bit.ly/ZfPfcG> (Mike Koehler)
- There Is A Difference Between The FCPA And FCPA Enforcement - <http://bit.ly/Y4moId> (Mike Koehler)
- When Are Trade Secrets Not Trade Secrets? | eLessons Learned - <http://bit.ly/YdUSXT> (Thomas Moran)
- Unintended Consequences of Bring Your Own Device - <http://bit.ly/ZfOel8> (Susan Ross)

Resources

- 5 Great Online Tools for Mining Public Records – <http://bit.ly/YhPVNB> (Lili Shirley)
- A Longitudinal Study of Follow Predictors on Twitter (PDF) <http://b.gatech.edu/ZtGBE6> (C.J. Hutto, Sarita Yardi, Eric Gilbert)
- Companies Making Greater Use of TAR and the Cloud, Litigation Survey Finds - [@BobAmbrogi](http://bit.ly/ZaUHgW)
- EDDE Journal – Spring 2013, Volume 4, Issue 2 – (PDF) <http://bit.ly/ZnTenQ> (ABA Section Of Science & Technology Law)
- eDiscovery and Technology-Assisted Review: A Backgrounder - [@OrangeLT](http://bit.ly/Y4wiJW)
- Fulbright Forum: 9th Annual Litigation Trends Survey Findings – Presentation - [@Fulbright](http://bit.ly/YLL3R1)
- Social Media Policy Template for Lawyers – Slaw - <http://bit.ly/Y4XAzT> (Connie Crosby)

Senses

- Cartoon: The Right To Remain Silent - [@OrangeLT](http://bit.ly/ZbaIDL)
- Video: Judge Michael Baylson on Practicing E-Discovery – <http://bit.ly/Y5N6Aj> (Monica Bay)
- Video: Michael Kraft on Technology Upgrades - <http://bit.ly/ZIUaIF> (Monica Bay)
- Video: Privacy Law Roundtable - <http://bit.ly/YcGgrK> (Corporate Counsel)
- Video: The Growing Role of Social Media in Litigation and How to Prepare for It - <http://bit.ly/YjVcV0> (BarryWillms)

- Webcast: Current E-Discovery Hot Topics and 2012 Year End eDiscovery - <http://bit.ly/Y75AQM> (Gibson Dunn)

Technologies

- 6 Guidelines for Restarting Corporate Records Programs – <http://bit.ly/YLJsKO> (Mark Diamond)
- Achieving Immutability with Exchange Online and Exchange Server 2013 – <http://bit.ly/Y75skd> (Microsoft)
- Archiving and Backup – Still Cohabiting but Resting More Easily Next to One Another - <http://bit.ly/Y5MudX> (Jerome Wendt)
- Big Data? Good Investigators Prefer Their Data Small - <http://bit.ly/YkdAgp> (Phillip Segal)
- Email Challenge May Defy Management – <http://bit.ly/ZINMln> (John Mello)
- Email: How Costly Can Configuration Mistakes Be? <http://bit.ly/Y8eeyD> (Jeff Orloff)
- How to Untag Yourself on Facebook (And Why You Might Want To) – Slaw - <http://bit.ly/YhVbAT> (Dan Pennington)
- I.B.M.'s Rometty on the Data Challenge to the Culture of Management – <http://nyti.ms/ZsJsRh> (Steve Lohr)
- In-Place eDiscovery Archives – <http://bit.ly/YacVOJ> (@365Command)
- New Research : Blogs Outrank Social Networks in Influence - <http://bit.ly/YcBtGG> (@KevinOKeefe)
- New Technologies Require New Organizational Approaches – <http://bit.ly/YfixHi> (Jim Ditmore)
- PST Capture Tool 2.0 Released - <http://bit.ly/YBWVF9> (Casper Manes)
- SOD Big Data! Most of What You're Keeping is Digital Landfill - [@AlanPelzSharpe](http://bit.ly/Y4qPCM)
- The Future of Law as Seen From Silicon Valley - <http://bit.ly/Y4l2gw> (Aric Press)
- The Shape Of Today's Storage Market - <http://bit.ly/Y73WyA> (Chuck Hollis)
- Thinking Carefully About New gTLD Objections: Legal Rights (4 of 4) <http://bit.ly/YLIA9b> (Don Moody)

Vendors

- A Complete and Completely Integrated eDiscovery Platform - <http://bit.ly/UiMmpV> (@OrangeLT)
- Case Summary Alert – <http://bit.ly/Y7GRMc> (Applied Discovery)
- Daegis Inc. Reports Fiscal 2013 Third Quarter Financial Results - <http://bit.ly/YHcGdl> (Business Wire)
- DOAR Litigation Consulting Opens Offices in Houston - <http://bit.ly/YhUPtZ> (Press Release)
- Catalyst and C2C Collaborate to Offer Comprehensive International Cloud-Based eDiscovery - <http://on.mktw.net/Y53rVM> (Marketwire)
- Conference: Electronic Discovery for the Small and Medium Case - <http://bit.ly/ZlVI65> (@BobAmbrogi)
- EDD Update: EDI-Oracle Study Update - <http://bit.ly/Y74AvU> (@PatrickOot)
- E-Discovery Institute – 3/21/2013 – Chicago-Kent College of Law - [@ChicagoKentLaw](http://bit.ly/YHS7hn)
- E-Discovery Industry Veteran Joins VeDISCOVERY LLC - <http://prn.to/Y8dlWD> (PR Newswire)
- Epiq Systems to host Investor Day in New York City on April 4, 2013 - <http://bit.ly/YhYyYu> (Press Release)
- Guidance Software Announces its Second Annual Federal Summit on Managing and Mitigating Risk <http://bit.ly/ZlQ0kG> (Business Wire)
- Guidance Software Launches EnCase® App Central – <http://bit.ly/Zc5IyG> (Business Wire)
- HP's Autonomy Allegations Trigger Another Inquiry - <http://yhoo.it/YhWpMD> (Associated Press)
- Jatheon Technologies Announces Launch of New European Website - <http://bit.ly/YHktZl> (PR Web)
- Jennifer E. Mercer Joins Epiq Systems as Senior Vice President, Strategic Communications - <http://bit.ly/YMWUyb> (Press Release)
- KPMG LLP Completes Acquisition of The Hackett Group's Oracle ERP Practice - <http://prn.to/Zcvp20> (PR Newswire)
- Legal Technology News From Gavel & Gown, iConect, and Konica Minolta - <http://bit.ly/YHm80G> (Sean Doherty)
- LexisNexis Announces Major Release of Concordance Evolution - <http://on.mktw.net/Y57zoF> (Business Wire)

- Metalogix Content Matrix Provides the Highest Fidelity, Most Robust Content Migration to Office 365 - <http://bit.ly/YfdUNq> (PRLog)
- Mitratech Appoints Jason Parkman Chief Executive Officer - <http://bit.ly/ZjXHYu> (Press Release)
- Next! LTN's Picks for Upcoming Conferences, Webinars & Events - <http://bit.ly/ZsItR5> (Monica Bay)
- OpenText Acquires Resonate Knowledge Technologies <http://bit.ly/YytF1U> (Press Release)
- The Organization of Legal Professionals – eDiscovery Certificate Program – March 21 – August 29, 2013 - <http://bit.ly/Yds5Ti> (OLP)
- Oracle Revises Social Offerings – <http://bit.ly/YifePz> (@DebDonston)
- Pitney Bowes Announces Reference Yield, Total Consideration and Tender Offer Consideration – <http://bit.ly/YfdJBG> (Announcement)
- SDL Creates New Revenue Opportunities for the Text Analytics Industry - <http://bit.ly/Y7hutY> (PR Log)
- Social Media Archiving and Collection for eDiscovery? <http://bit.ly/JCz7fo> (@ComplexD)
- Tech Circuit: Catch-Up Edition - <http://bit.ly/ZsOYmX> (Monica Bay)
- The One Decision® Document Review Accelerator – <http://bit.ly/WSRz8t> (@OrangeLT)
- UBIC Announces Strategic Alliance with NextGen for Joint Development of Audio Analytic Solutions - <http://bit.ly/Y74XH1> (PR Web)
- UK's Anti-Fraud Agency Says May Be Conflicted in Autonomy Probe - <http://reut.rs/YhYPe6> (Reuters)
- Vaporstream Announces Advisory Board Members - <http://bit.ly/Y5KceN> (PR Log)

2013 Events

MARCH

Second Annual ASU-Arkfeld eDiscovery and Digital Evidence Conference
 March 13-15, 2013
 Tempe, AZ
[Click here for more information.](#)

AIIM Conference
 March 20-22, 2013
 New Orleans, LA
[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

Electronic Discovery for the Small and Medium Case
 Levin College of Law, University of Florida and EDRM
 April 4-5, 2013
[Click here for more information.](#)

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.](#)

LawTech Futures
April 30, 2013
London, UK
[Click here for more information.](#)

MAY

EDRM 2013-14 Kickoff Meeting
May 7-9, 2013
St. Paul, MN
[Click here for more information.](#)

CEIC 2013
May 19 – 22, 2013
Orlando, FL
[Click here for more information.](#)

LegalTech West Coast
May 21-22, 2013
Los Angeles, CA
[Click here for more information.](#)

AUGUST

ILTA 2013 Annual Conference
August 18-22, 2013
Las Vegas, NV
[Click here for more information.](#)

SEPTEMBER



Fifth Annual Intermountain eDiscovery Conference – 2013
September 26, 2013
Salt Lake City, UT
[Click here for more information.](#)

OCTOBER

LawTech Europe Congress 2013
October 21 – 22, 2013
Prague, Czech Republic
[Click here for more information.](#)

ACC 2013 Annual Meeting
October 27-30, 2013
Los Angeles, CA
[Click here for more information.](#)



About Orange Legal Technologies

OrangeLT™ is a leading provider of electronic discovery litigation, audit, and investigation technology and services for law firms and corporations. Having served over 1,000 clients since inception and with over 250 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 technology and 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.

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