

ComplexDiscovery | Weekly eDiscovery Top Story Digest

September 4, 2013



Compiled by [@ComplexD](#) from online public domain resources, provided for your review/use is this week's update of key industry news, views, and events highlighting key electronic discovery related stories, developments, and announcements.

An information source for eDiscovery and information management professionals since 2010, the *eDiscovery Top Story Digest* is published weekly on the [ComplexDiscovery](#) blog and is also available via [email subscription](#).

Weekly eDiscovery Top Story Digest Update



eDiscovery Now for Legal Professionals

Providing legal professionals with a weekly overview of the latest developments, opinions and news in the field of eDiscovery.

- Achieving eDiscovery Excellence By Collaborating Throughout The Organization - <http://bit.ly/14UyJyT> (Dan Torano)
- An eDiscovery Case Study: Introduction - <http://bit.ly/1dvv9EN> (Doug Austin)
- Board-Level Preparation For Radical Transparency - <http://bit.ly/19Y37gg> (Mary Mack)
- Court Finds No Spoliation (or Sanctions) For Deleted E-Mails - <http://bit.ly/15bw5ej> (Brett Anders)
- Court Warns “Continuing Problems” with Document Production Will Result in Order to Retain an eDiscovery Vendor - <http://bit.ly/170KBTI> (K&L Gates)
- ‘Da Silva Moore’: Judge Peck Urges Rejection of 3rd Complaint Re-do - <http://bit.ly/15lktOR> (Monica Bay)
- Defined Scope and Date Range – Judge Calls Discovery Request a Fishing Expedition - <http://bit.ly/1drkytF> (@LucidDataInc)
- Discovery Processing Costs Not Recoverable - <http://bit.ly/14KjjwY> (Ian Clement)
- Does Technology-Assisted Review Help in Reviewing Productions? - <http://bit.ly/16UMz7z> (John Tradennick)
- Does Technology-Assisted Review Work for ‘Hot’ Documents? <http://bit.ly/16QzHzn> (John Tradennick)
- E-Discovery: The Key to Cost-Effective Corporate Due Diligence Reviews - <http://bit.ly/1dMpmZ7> (Krist Werling, Kari Prochaska)
- eDiscovery’s eVolution Akin To Disney’s Fantasia - <http://bit.ly/147ZLrV> (Robert Brownstone)
- Facebook Messages Admissible under Traditional Evidence Rules - <http://bit.ly/1dz2Wud> (Lisa Hasday)
- Fake Emails, Failed Hard Drives And More In High-Drama Lawsuit - <http://bit.ly/1dM2ZTx> (@ITLexOrg)

- Handle Technology-Assisted Review With Care - <http://bit.ly/1cg96xP> (Gabriela Baron, Amanda Jones)
- How Big is Your ESI Collection, Really? <http://bit.ly/14UJfGt> (Doug Austin)
- ILTA13 Wrap-Up: A Savage Journey Into the Heart of the Legal-Techno Dream - <http://bit.ly/1drsUS1> (Drew Lewis)
- ILTA 2013 – Resistance is Futile! <http://bit.ly/1dYBh60> (Albert Barsocchini)
- ILTA Conference 2013 – Session Materials and Downloads - <http://bit.ly/1dYCF8N> (ILTA)
- Judge Says Search Warrants for E-mails Must Be ‘Limited’ - <http://nyti.ms/14aNxii> (Somini Sengupta)
- Introduction to Predictive Coding (PDF) <http://bit.ly/16gHYfj> (Herb Roitblat)
- Judge Scheindlin Blasts Proposed FRCP Amendments in Unconventional Style - <http://bit.ly/143GA2n> (Matthew Nelson)
- Juggling Apples: Proportionality & Estoppel - <http://bit.ly/17xAMLH> (Josh Gilliland)
- Microsoft’s Lessons for the eDiscovery Industry - <http://bit.ly/16UsfDn> (John Patzakis)
- New ITC eDiscovery Rules for Patent Infringement Investigations - <http://bit.ly/188v7eR> (Matt Miller)
- Overview of Proposed Amendments of the Federal Rules of Civil Procedure - <http://bit.ly/16Q5eRV> (Josh Gilliland, Jason Krause)
- Peck, Parties and Predictive Coding - <http://bit.ly/15o3fk7> (@ComplexD)
- Poor Plaintiff’s Counsel, Can’t Even Find a CAR, Much Less Drive One - <http://bit.ly/18kIVTC> (@RalphLosey)
- Predictive Coding: Insights from Federation of Defense and Corporate Counsel (FDCC) Annual Meeting - <http://bit.ly/15AWICL> (Wystan Ackerman)
- Predictive Coding’s Murky Waters; Ruling in In re Biomet Stirs Interesting Debate - <http://bit.ly/1dL3CwL> (Christopher Yoshida)
- Proportionality in ESI Spoliation Sanctions and Facebook Discovery - <http://bit.ly/17zNWve> (Mark Berman)
- Reinforcing the Requirements of the Discovery Checklist – <http://bit.ly/17zPt4p> (Andrew King)
- Relevancy Ranking is the Key Feature of Predictive Coding Software - <http://bit.ly/13SmVm2> (@RalphLosey)
- Scheindlin Reverses Magistrate Judge Ruling, Orders Sanction for Spoliation of Data – <http://bit.ly/16Qztsa> (Doug Austin)
- Second Known Lawyer eDiscovery Malpractice Case Spotlights Adequacy of Service Provider Supervision - <http://bit.ly/143niKB> (ACEDS)
- Service Of Process Via Facebook Still Carries Due Process Concerns | IT-Lex - <http://bit.ly/16KFID3> (Rachel Paxton-Gillilan)
- Subpoenas Seeking Identifying Information and Login Data Associated with Email Addresses Did Not Violate First Amendment of Privacy Rights” <http://bit.ly/16NjCKU> (@JayYurkiw)
- The Oracle Has Spoken Anew: Judge Scheindlin Issues New eDiscovery Decision | IT-Lex - <http://bit.ly/1dCHnJm> (Melinda Levitt)
- Updated Through August 31, 2013: Technology-Assisted Review: From Expert Mentions to Mainstream Coverage - <http://bit.ly/14863aQ> (@ComplexD)
- When eDiscovery Meets Big Data, Can Case Analytics Be Far Behind? <http://bit.ly/14SZ9EU> (Dera Nevin)



Actionable Intelligence for In-House Counsel

Providing in-house counsel with a weekly overview of significant legal and technology related stories centered around the corporate risk topics of compliance, information governance, privacy and security.

- Add an Extra Layer of Password Verification to Help Safeguard your Data and Accounts - <http://bit.ly/16Pb5Ug> (Dennis Kennedy)
- Accessing A Public Website Doesn’t Violate The CFAA, Unless You’re Hiding Your IP Address - <http://bit.ly/143HbRH> (@ITLexOrg)

- Against Reinvention: More Forward Not Backward - <http://bit.ly/18hN0bg> (Marc Lauritsen)
- Anti-Corruption Due Diligence in M&A: Are Enforcement Authorities Moving Toward More Flexible Approach? <http://bit.ly/17wwWSM> (Joan Meyer)
- Antitrust Year In Review: U.S. - <http://bit.ly/13SmojZ> (Russell Wofford)
- Are Legal and Regulatory Concerns Preventing UK Financial Service Companies From Harnessing Social Media? <http://bit.ly/1dM1THw> (Susan McLean)
- Bring in the FBI: Your Paranoia Is Justified - <http://bit.ly/1dL3c9J> (Monica Bay)
- CFTC Adopts Final Rule Amendments for CPOs and CTAs - <http://hvr.me/14izjX9> (Sullivan & Cromwell)
- China's Regulation on Personal Data Use by Commercial Websites Takes Effect Sept. 1 - <http://bit.ly/1e3O5rU> (Jun Wei)
- Cloud Computing Options With Dropbox, Box, and ShareFile - <http://bit.ly/14JqnOp> (Ruth Carter)
- Competitor That Copied Website Design and Content May Be Liable For Infringement - <http://bit.ly/1e3P1wp> (Evan Brown)
- Court Finds Non-Public Facebook Posts Are Covered By The Stored Communications Act - <http://bit.ly/16L2w0b> (Sara Hutchins Jodka)
- Europe's Definition of Data Security Breach - <http://bit.ly/19bPvwR> (Benjamin Wright)
- Federal Court Finds No Reasonable Expectation of Privacy in Computer Files Shared on Public Network - <http://bit.ly/1bZSudr> (@Hunton_Privacy)
- First Circuit Categorically Bars Cellphone Data Searches Incident To Arrest - <http://bit.ly/16Cz3W6> (Alain Leibman)
- Forensic Experts Discuss Key FCPA Issues And Compliance Strategies - <http://bit.ly/16Ky3iO> (Rocco deGrasse, Jonathan Zdimal)
- Healthcare IT Struggles to Keep Up With Mobile Health Demands - <http://bit.ly/16IFdk9> (Brian Eastwood)
- HIPAA Update: Omnibus Rule Changes to Marketing and Sale of PHI - <http://bit.ly/188vndY> (Jarrod Pearson)
- How A Ruling Shapes A \$160 Million Class Action Settlement - <http://bit.ly/16UFfj2> (Gerald Maatman, David Ross)
- Law Departments Are Keeping eDiscovery Inside the Firewall - <http://bit.ly/1aR84KC> (Patrick Oot)
- Legal Concepts Every Social Media Marketer Should Know: Rules of the Road for Online Advertising - <http://bit.ly/150LiZv> (Fernando Bohorquez)
- Liability for Sending Texts to a Driver is Bad Law - <http://bit.ly/14dvLFy> (Andrew Hinkes)
- NIST Releases Preliminary Cybersecurity Framework - <http://bit.ly/14PSuvi> (Kristen Eischwehr)
- New Jersey Court Says One Can Be Liable For Sending a Text That Causes an Auto Accident - <http://bit.ly/1drwriY> (Evan Brown)
- NJ Court's Decision Provides Roadmap For Access To Employees' Restricted Social Media Content - <http://bit.ly/16Q5oJe> (Philip Gordon)
- NJ Federal Court: Password Protected Facebook Posts Covered By Stored Communications Act - <http://bit.ly/14e01QR> (Bradley Shear)
- SCCBA High Technology Law Section: Beware Protective Order Violations! <http://bit.ly/16Xsxt4> (Matte Poppe)
- Sprechen Sie Patents? <http://bit.ly/16DizK2> (Lisa Shuchman)
- Strategies For Leveraging Legal Research Technology To Improve The Bottom Line And Efficiency - <http://bit.ly/16Kyiue> (Lydia Flocchini)
- Technology: Risks to Brand Protection When Advertising Through Social Media - <http://bit.ly/1c9LpXU> (Neal Gerber Eisenberg)
- The EU seeks Strengthening of Safe Harbor Rules - <http://bit.ly/1drwkEi> (Philippe Bruno)
- The New Landscape of Children's Online Privacy - <http://bit.ly/16QfXfk> (Katrina Robson, Jeannine Tang)
- Three Ways to Create a Culture of Compliance in the Age of Information Governance - <http://bit.ly/1dUMefm> (Scott Whitney)
- U.S.-EU Safe Harbor Under Fire - <http://bit.ly/1bZSMRG> (Cynthia O'Donoghue)
- What Do Law Department Chief Operating Officers Do? <http://bit.ly/1aR8mkJ> (Audrey Rubin)



Vendor Clips for eDiscovery Practitioners

Providing eDiscovery practitioners with a weekly overview of relevant legal technology news and announcements as shared by industry vendors and commentators.

- A Look at eDiscovery Providers in 2013 Inc. 5000 - <http://bit.ly/14Qulzh> (@ComplexD)
- AccessData: Inc. Unveils Its Exclusive List of America's Fastest-Growing Private Companies - <http://bit.ly/16MyitE> (Press Release)
- AccessData Signs Distribution Agreement with ARM in Middle East - <http://bit.ly/16Lp2G4> (CIOL)
- AccessData Turns To Channel For Its Forensics, E-Discovery Platform - <http://bit.ly/15ljUVx> (Robert Westervelt)
- Big Data Profile: Michael Rappa, Institute For Advanced Analytics - <http://ubm.io/1dIQkkh> (Ellis Booker)
- C2C Announces Expansion of North American Headquarters - <http://bit.ly/13CYA3h> (@MarketWired)
- Canon Business Process Services Wins eDiscovery, Doc Management and Lit Support Renewal Contracts - <http://on.mktw.net/18fxlbg> (BusinessWire)
- Catalyst Secure Named to Inc. 5000 List of Fastest-Growing Companies for Fourth Straight Year - <http://mwne.ws/16Oaq93> (PR Web)
- Custom Chrome Browser Promises More Privacy, No Tracking - <http://ubm.io/14PONzp> (Matthew Schwartz)
- CyTech Services Launches @CyFIR_Inc Enterprise Digital Forensics Suite - <http://bit.ly/13SnpZ6> (PR Web)
- D4 Announces Launch of Preservation Vault Cloud Storage Service - <http://bit.ly/145gqfL> (PR Web)
- D4 Continues National Expansion with the Acquisition of Omaha Legal Services - <http://bit.ly/14DScE0> (Press Release)
- Daegis Inc. Reports Fiscal 2014 First Quarter Results - <http://bit.ly/152sIjP> (Business Wire)
- Discovia Earns Spot on Inc. 5000 for Second Consecutive Year - <http://bit.ly/16NmRBO> (PR Web)
- Discovia Welcomes Ramy Shoukry to Growing National Sales Team - <http://bit.ly/13ISf6w> (PR Web)
- DSI First to Use Catalyst Insight Predict - <http://bit.ly/15msHGB> (@LegalIT)
- EDRM: Does Your Left Side Know What Your Right Side is Doing? <http://bit.ly/151i5DM> (@LegalTalk)
- Embedded Birst BI Advances Analytic Capabilities of OpenText's Business Process Applications - <http://on.mktw.net/12H1jGj> (@Marketwired)
- Empire Discovery News: Empire Discovery Opens New Southeast Regional Office - <http://bit.ly/16Qyqkk> (Announcement)
- Epiq Systems Lines Up A \$400 million Credit Line - <http://bit.ly/1aR8yR8> (Kansas City Star)
- HAYSTACKID Unveils New and Improved Corporate Website - <http://bit.ly/13Wo246> (PR Web)
- HP M&A Hunt Should Concern Channel Partners - <http://bit.ly/1dzfW37> (Larry Walsh)
- HP's Whitman Remains Committed To Further Acquisitions - <http://bit.ly/14UtPIE> (Jeffery Burt)
- Hypergraph: A Next-Generation Analytics Solution For Visualizing Data Insights - <http://bit.ly/1dL2UQ1> (Jerome Levadoux)
- iDiscovery Solutions to Sponsor Keynote Robert Owen at 2013 Masters Conference on September 19, 2013 - <http://bit.ly/14MdfIk> (PR Web)
- Kenyon Installs Relativity In-house - <http://bit.ly/13TprYZ> (@LegalIT)
- KMWORLD Names RSD GLASS One of 2013's Trend Setting Products - <http://bit.ly/1dHRU5R> (PR Web)
- ILTA: 4 Short Posts Over 4 Days About 4 Sessions Attended Last Week (Post 1 of 4) <http://bit.ly/14Yo1r6> (Eric Killough)
- ILTA: A Summer Blockbuster of Product News - <http://bit.ly/13VdL8n> (Sean Doherty)
- ILTA / InsideLegal Technology Purchasing Survey - Purchasing Trends of ILTA Member Law Firms (PDF) <http://bit.ly/1doGd3O> (InsideLegal)
- Intralinks Connector For SharePoint - Seeing is Believing - <http://bit.ly/14UKfdD> (Paul Loefstedt)

- Integreon Introduces "All In" Pricing and Services Model for End-to-End Electronic Discovery - <http://on.mktw.net/1bPtKom> (PR Newswire)
- Ipro Tech, Inc. Adds Three New Members to Growing Team – Press Release - <http://bit.ly/16ALEJs> (@MarketWired)
- Lawyers' Cloud Paranoia Helps Trigger OrcaTec's On-Premises Appliance <http://bit.ly/14L372p> (@DavidHorrigan)
- LDM Global Grows – New Team Members, New Markets - <http://bit.ly/16UnMR1> (PR Web)
- Logik Releases Real-Time Redaction with Automatic Tagging & OCR - <http://bit.ly/14VUUZc> (Press Release)
- OLP Announces Launch of New Information Governance Certificate Program - <http://bit.ly/13SyaL4> (PR Web)
- Machine Learning is Coming of Age - <http://bit.ly/16UFnbv> (Nick Patience)
- Measurement in eDiscovery – A Technical White Paper (PDF) <http://bit.ly/14jGdeq> (Herb Roitblat)
- Metalogix Archive Manager Exchange Edition Named Winner of MSEExchange.com Readers' Choice Award - <http://bit.ly/14Otu3E> (PR Web)
- Microsoft CEO Steve Ballmer to Retire Within 12 Months - <http://on.wsj.com/14LLmME> (Don Clark, Shira Ovide)
- Mindseye Announces Bill Truchan as Chief Financial Officer - <http://bit.ly/12HPIfw> (PR Web)
- New Tableau Forensic Imaging Bay Adds Fast, Cable-Free SATA Imaging Capacity to Forensic Workstations - <http://bit.ly/154LDug> (PR)
- New Version of Concordance Evolution from @LexisNexis Offers Integration with LAW PreDiscovery - <http://on.wsj.com/14yp7d8> (PR Web)
- No-Cost eDiscovery and Email Archiving Solutions Promotion – <http://bit.ly/15mzS1q> (PR Web)
- Piston Provides OpenStack Infrastructure to Cloud Foundry Ecosystem - @SiliconANGLE - <http://bit.ly/1dHWC3y> (Maria Deutcher)
- Protiviti Expands Global Firm Network to Provide Consulting and Internal Audit Services to Africa - <http://prn.to/12q8KBB> (PR Newswire)
- Pure Storage Goes Global – <http://nyti.ms/15mt4km> (Quentin Hardy)
- Q&A with ACC Value Champions 2013: Axiom Law and Mondelēz International - <http://bit.ly/154uXZZ> (Bloomberg Law)
- Relativity 8 Named a Trend-Setting Product of 2013 by KMWorld - <http://on.mktw.net/16vx5Xz> (Press Release)
- Ricoh Receives Relativity Best in Service Designation - <http://bit.ly/13FL9zJ> (PR Newswire)
- RVM receives Orange-level Relativity Best in Service Certification! <http://bit.ly/14izQsc> (Press Release)
- Security, Fast Deployment and Managed Services - <http://bit.ly/15bvBVx> (Howard Hale)
- SFL Data Changes Name to Discovia - <http://bit.ly/1dsnsga> (Business Wire)
- Stibbe Makes Decisive Move to Recommend – <http://bit.ly/19V4MTQ> (@LegalIT)
- The 2013 Inc. 5000 List - <http://bit.ly/168cB3l> (@Inc)
- TransPerfect Legal Solutions and Index Engines Tackle Legacy Data Discovery with Preferred Partnership - <http://bit.ly/140Uqm9> (PR Web)
- TrustPoint International Appoints Nico Nunez as President of Southwestern #eDiscovery Practice - <http://bit.ly/15g7DIG> (@TrustPointIntl)
- TrustPoint International Presents Predictive Coding CLE With Industry Expert Herb Roitblat – <http://bit.ly/176qUcH> (@TrustPointIntl)
- Venio Adds Features, Enhances Scalability to Integrated E-Discovery Platform - <http://bit.ly/14XVhVp> (PR Web)
- VMware Launches Software-Defined Data Center Tools - <http://ubm.io/16LqkRs> (Charles Babcock)
- What is Predictive Ranking? Steve d'Alencon Explains in Video with Ari Kaplan - <http://bit.ly/16Qzoo5> (Bob Ambrogi)
- What's New From the ILTA Exhibit Hall - <http://bit.ly/1bVUfby> (Sean Doherty)



Industry Conferences, Events and Meetings

Providing industry professionals a non-all inclusive listing of key industry educational conferences, events and meetings.

SEPTEMBER

E-Discovery for Corporate Market Conference

September 17 – 18, 2013

Houston, TX

[Click here for more information.](#)

The Masters Conference

September 18-19, 2013

Washington, DC

[Click here for more information.](#)

2013 Conference on Preservation Excellence

September 18-19, 2013

Portland, OR

[Click here for more information.](#)

Hosting and Cloud Transformation Summit North America

September 23 – 25, 2013

Las Vegas, NV

[Click here for more information.](#)

Fifth Annual Intermountain eDiscovery Conference – 2013

September 26, 2013

Salt Lake City, UT

[Click here for more information.](#)

OCTOBER

Relativity Fest

October 6-8, 2013

Chicago, IL

[Click here for more information.](#)

Relevant

October 6-8

Nashville, TN

[Click here for more information.](#)

Gartner Symposium/ITxpo

October 6-10, 2013

Orlando, FL

[Click here for more information.](#)

EDRM 2013-2014 Midyear Meeting

October 9-11, 2013

Saint Paul, MN

[Click here for more information.](#)

ACEDS 2013 Corporate E-Discovery Summit

October 10-11, 2013

San Francisco, CA

[Click here for more information.](#)

2013 EDI Leadership Summit

October 15 – 17, 2013

Santa Monica, CA

[Click here for more information.](#)

Innovate

October 17-18, 2013

Orlando, FL

[Click here for more information.](#)

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.](#)

NOVEMBER

KMWorld 2013

November 6-8, 2013

Washington, DC

[Click here for more information.](#)

The Advanced eDiscovery Institute

November 21-22, 2013

Washington, DC

[Click here for more information.](#)

DECEMBER

E-Discovery for Corporate Market Conference

December 11 – 12, 2013

Los Angeles, CA

[Click here for more information.](#)

2014

FEBRUARY

LegalTech New York, 2014

February 4-6, 2014

New York, NY

[Click here for more information.](#)

MARCH

ABA TECHSHOW

March 27-29, 2014

Chicago, IL

[Click here for more information.](#)

MAY

FOSE

May 13-15, 2014

Washington, DC

[Click here for more information.](#)

AUGUST

ILTA 2014

August 25-28, 2014

Nashville, TN

[Click here for more information.](#)

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