

# Unfiltered Orange | Weekly eDiscovery News Update – October 31, 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

- Both Sides Instructed to Use Predictive Coding or Show Cause Why Not – <http://bit.ly/Q1H6qx> (Doug Austin)
- Carrillo v. Schneider Logistics, Inc.: How a Data Management Initiative Could Have Prevented Sanctions – <http://bit.ly/Q61aIk> (Linda Sharp)
- Court Instructs Parties to Utilize Predictive Coding, Requires Show of Cause to Avoid It – <http://bit.ly/SJ3SjI> (K&L Gates)
- Data Lawyers and Preventive Law – <http://bit.ly/PS4bMu> (Nick Brestoff)
- Delaware Chancery Court Blocks Business-Strategy Immunity in Discovery – <http://bit.ly/R5nDQO> (Jeff Mordock)
- Delaware Chancery Court Sua Sponte Orders Parties to Use Predictive Coding – <http://bit.ly/Q2ICZv> (Wendy Curtis, Jeffrey McKenna)
- eDiscovery in Tennessee – eDiscovery Trends – <http://bit.ly/Q46lsi> (Doug Austin)
- Emails Can Carry A Reasonable Expectation of Privacy, Government Entities Must Be Particular If Want Them – <http://bit.ly/PUHOAW> (Adam Losey)
- First Few Weeks of EDBP, the Shoulders of Giants, and the Great Debates of TAR v. CAR and Ball v. Jaar – <http://bit.ly/Q1z8ha> (Ralph Losey)
- FTC and ITC Issue New Final and Proposed Rules on Electronic Discovery (PDF) <http://bit.ly/RmoQ6k> (Cahill)
- Hoarders: How to Change the 'Keep Everything' Attitude that's Drowning Your Company – <http://bit.ly/PU7QcD> (Mauricio Perry)
- Hyland Software Establishes UK Subsidiary – <http://sacb.ee/Q2aVXZ> (PR Newswire)
- In-Place eDiscovery: Exchange 2013 – <http://bit.ly/PVdOdk> (Microsoft TechNet Library)
- Is Social Media Discoverable? Stick to the Basics (Part III – Other Limitations on Discovery) <http://bit.ly/PUgXdk> (Jennifer Walrath)
- Judicial Activism Taken to New Heights in Latest EORHB (Hooters) Predictive Coding Case – <http://bit.ly/PEleBM> (Matthew Nelson)
- Less Production Can Be More In Database Discovery – <http://bit.ly/PToGZ8> (Michael Spencer, Diana Fasching)
- Making eDiscovery Purchasing Decisions: In-House vs. Vendor Part I - <http://bit.ly/RBypzy> (Michael Fluhr)
- Managing the Risks of Bring Your Own Device (BYOD) – <http://bit.ly/RmsyNs> (Chris Marzetti)
- Pitting Computers Against Humans in Document Review – <http://bit.ly/W4KDaf> (Steve Green, Mark Yacano)

- Predictive Coding in Unpredictable Order from US Chancery Judge – <http://bit.ly/PWWLHQ> (David Sharpe)
- Predictive Coding Metrics are for Weenies – Part I – <http://bit.ly/Q1FZas> (Karl Schieneman)
- Rolling the Dice on Legal Hold: Still Not Worth the Risk – <http://bit.ly/R3RUj1> (Daniel Lim)
- Should eDiscovery Vendors Sue Their Deadbeat Clients? <http://bit.ly/StSMYV> (Sharon Nelson)
- Surprise Ruling by Delaware Judge Orders Both Sides To Use Predictive Coding – <http://bit.ly/R3IPYv> (Ralph Losey)
- Taking Page From Law Firm Clients, Vendors Sue for Unpaid Bills – <http://bit.ly/PWWDYT> (Christine Simmons)
- The Challenge of Defensible Deletion of Distributed Legacy Data – <http://bit.ly/PVcLts> (John Patzakis)
- Time to Take Out the Data Trash – eDiscovery101 – <http://bit.ly/SrNAhN> (Bill Tolson)

### *Reports and Resources*

- Planning in the Digital Age – Digital Assets (PDF) <http://bit.ly/R0Q8iB> (Gerry Beyer)
- Sedona Updates Judicial eDiscovery Resource Guide – <http://bit.ly/PS3YZA> (Monica Bay)
- The Grossman-Cormack Glossary of Technology Assisted Review – <http://bit.ly/RhqST> (Maureen Grossman, Gordon Cormack)
- Updated Technology Assisted Review Backgrounder – <http://bit.ly/IiTGtb> (@OrangeLT)

### *Sight and Sound*

- 3 Baritone eDiscovery Voices Discuss the Meet and Confer Challenge – <http://bit.ly/Prcjna> (Karl Schieneman)
- Digital Forensics – NIST – <http://slidesha.re/SdEhzm> (William Barker)
- eDiscovery Done Right (Case in Point) – <http://bit.ly/HM288p> (Tom Fishburne)
- Right Team, Vendor, and Data Plan Nip eDiscovery Costs in Bud – <http://bit.ly/PU8iaL> (Kimberly Carradine)

### *Technology and Tactics*

- 3 Email Threats You Need to Be Aware Of – <http://bit.ly/SrIOMl> (Jeff Orloff)
- Best Practices for Minimizing Health Data Breach Risks – <http://bit.ly/R0UPZH> (Marcy Wilder)
- Companies Aligned Against Court in Apple-Samsung Record-Sealing Spat – <http://bit.ly/R2SVI1> (Vanessa Blum)
- Data Breaches: Verizon Report Highlights Payment Security Compliance issues for Businesses – <http://bit.ly/PS4xCC> (Pinsent Masons)
- Defending Against Next Gen Distributed Denial of Service DDoS Attacks: DDoS Defense Reference Architecture – <http://bit.ly/Q61siu> (Joey Muniz)
- Derechos and Hurricane Sandy Make Compelling Cloud Arguments – <http://bit.ly/W4JpvG> (Sharon Nelson, John Simek)
- Did You Know Cloud Computing Has Been Around Since the '50s? <http://on.mash.to/Se5gNL> (Neha Prakash)
- EU Claims Google Violates Privacy Laws – <http://bit.ly/R0XQJA> (Peter Vogel)
- EU Data Protection Regulation Proposal – Update – <http://bit.ly/QYQN40> (Davinia Brennan)
- FBI Expands Cybercrime Division – <http://bit.ly/Q61Uxd> (Nicolas Hoover)
- FOCA – Network Intelligence Reconnaissance – <http://bit.ly/Q1zxjE> (Aamir Lakhani)
- GAO Study: Low Marks to Companies Regarding Transparency of Use of Consumer Location Data – <http://bit.ly/PS3DGc> (Nihar Shah)
- Guidelines Proposed in Canada to Open Courts to Social Media – <http://bit.ly/Q637EB> (Allison Jones)
- How to Mitigate Compliance Requirements and Code of Conduct Obligations with Data Protection Regulation - <http://bit.ly/W1A3AO> (Daniel Kadar)
- Is The Term “Cyberwarfare” Overstating the Case? <http://bit.ly/RdZmrF> (Terry Zink)
- Nokia Patent Threat Limits Multi-User Function to Android Tablets - <http://bit.ly/Rqm145> (Ryan Thomas)
- Smarter Social Media Monitoring for Student Athletes – <http://bit.ly/Q4VAWT> (Jason Krause)

- Ten IT Predictions For 2013 – <http://bit.ly/W1AJGw> (Chuck Hollis)
- The Story Behind The Incredible Shrinking OST file in Exchange 2013 – <http://bit.ly/PUGseA> (John Mello)
- Trademark Holder’s Fight to Remove Mark on Kitsch Merchandise May Have Broad Legal Implications – <http://bit.ly/Q1EyJ5> (Jacob Kaufman)
- Why Execs Should Heed Need for Data Governance – <http://bit.ly/S3n8e4> (Kelle O’Neal)

## Vendor Views

### Industry Landscape

- Avoid The eDiscovery “Trick” This Halloween – <http://bit.ly/TgkP3e> (@OrangeLT)
- Big Data and Data Protection Unite to Reduce eDiscovery Costs AND Enable Better Business Decisions – <http://bit.ly/R7jqMz> (DCIG)
- Catalyst Secure and AOS Legal Technologies Team Up to Provide Expertise in Asia – <http://bit.ly/PR7eVc> (Press Release)
- CommVault Introduces Simpna IntelliSnap Recovery Manager to Automate Snapshots – <http://bit.ly/W0bCnk> (Press Release)
- EDRM Continues to Advance eDiscovery Standards and Practices - <http://bit.ly/VDIz91> (George Socha)
- EMC Slides After 3Q Results Show Slowdown – <http://yhoo.it/PS1dr4> (Associated Press)
- FTI Consulting To Release Third Quarter 2012 Results And Host Conference Call – <http://bit.ly/PUfnrU> (PR Newswire)
- D4 Named as One of Rochester’s Top 100 for Third Year in a Row – <http://bit.ly/SrN7fG> (PR Web)
- DTI Adds Marc Wasserman to Sales Leadership Team – <http://bit.ly/PWVQHo> (@LegalIT)
- eDiscovery: 7 Expectations To Set Your Team Up For Computer-Assisted Review – <http://bit.ly/RnQBvb> (Jay Leib)
- Evolve Discovery Awarded Orange-Level Relativity Best in Service Designation – <http://yhoo.it/StRC6w> (Marketwire)
- FTK 1.8 Important Notice – <http://bit.ly/R7mfx4> (AccessData)
- FTI Consulting To Release Third Quarter 2012 Results And Host Conference Call – <http://bit.ly/PUfnrU> (PR Newswire)
- Gartner Identifies the Top 10 Strategic Technology Trends for 2013 – <http://bit.ly/RHG3bO> (Press Release)
- Globanet Classify v3.2.1 Unveils New Retention Category Reassignment Functionality – <http://bit.ly/SZiQIM> (PRWeb)
- Huron Consulting Group Launches Huron Legal Integrated Analytics Offering – <http://bit.ly/Se2CoU> (Press Release)
- Huron Legal Adds PureDiscovery’s Predictive Coding – <http://bit.ly/RSKGzY> (Evan Koblentz)
- IGC Announces Brava 7.1 for IBM FileNet P8 at IBM Information on Demand – <http://yhoo.it/R5ruxb> (Marketwire)
- Karen Unger Joins SuperiorDiscovery as Vice President – <http://bit.ly/RdMIJm> (PR Web)
- Kasowitz, Benson, Torres & Friedman LLP Chooses Relativity - <http://on.mktw.net/R10oHA> (Press Release)
- Kroll Ontrack Partners with Info X to Address Demand for Granular Search and Restoration Software – <http://bit.ly/SdEBhx> (Business Wire)
- Legal Outsourcing to Israel: You Have Every Reason to Do It - <http://bit.ly/SdIt20> (Jonathan Easton)
- Merrill DataSite(R) Virtual Data Room Honored – <http://on.mktw.net/PS5wTk> (Business Wire)
- MessageSolution Showcases Cloud & Enterprise Information Archiving and eDiscovery at WinConnections – <http://bit.ly/SZiiwi> (PR Web)
- Mimecast Beefs up Archiving Offerings – Introduces Host of New Products and Features – <http://bit.ly/RhNo0b> (Press Release)
- OnPoint | TAR: Five Facts in a Flash – <http://bit.ly/RqmiEm> (Kroll Ontrack)
- Onsite Electronic Discovery Processing: A New Alternative, Part 2 – <http://bit.ly/PVeoYj> (Oce Business Services)
- PlanetData Expands East Coast Presence – Solutions – <http://bit.ly/StT4Wr> (Press Release)
- Recommind Named One of Bay Area’s Fastest-Growing Companies - <http://bit.ly/R7noEO> (Press Release)
- RenewData Appoints Hemanth Salem as Chief Operating Officer – <http://bit.ly/RivlHo> (Business Wire)

- Senior Project Management, Forensic and Litigation Technology Professionals Join TERIS – <http://bit.ly/PElGA5> (PR Web)
- Symantec 2nd-Quarter Net Up on Security, Compliance Segment Sales – <http://bit.ly/R10Mpn> (NASDAQ)
- Symantec CEO Takes Over Global Sales Chief's Job, Shows Him Door – The Register – <http://bit.ly/PUg04E> (Chris Mellor)
- Tech Circuit: Money & Microsoft – <http://bit.ly/PxC997> (Monica Bay)
- UBIC North America's Chief Business Operations Officer Addresses Corporations and Law Firms in Northern CA – <http://bit.ly/VEP3EB> (PR Web)
- Xerox Placed in Visionaries Quadrant in 2012 ECM Report - <http://bit.ly/PS1NFs> (Press Release)
- Yammer Integrates With Multiple Security Partners and Adopts EDRM Standard for Data Export – <http://on.mktw.net/RiwkXV> (PR Newswire)

## 2012 eDiscovery Events

### NOVEMBER

#### **eDiscovery for Financial Services & Governmental Investigations**

November 5-6, 2012

New York, NY

[Click here for more information.](#)

#### **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>.