

Unfiltered Orange |

Weekly eDiscovery News Update – July 25, 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

- A Fox, a Henhouse, and Custodial Self-Collection - <http://bit.ly/Od1Fe9> (Bill Tolson)
- Beyond Prediction: Technology-Assisted Review Enters the Lexicon - <http://bit.ly/LNtUhj> (Richard Acelio)
- Can High School Students Review eDiscovery Documents? <http://bit.ly/MtGmqK> (Ralph Losey)
- Cloud Data Protection Offerings for eDiscovery - <http://bit.ly/PDVUJj> (Stephen Arnold)
- Computers Conquer Connect Four; Predictive Coding Next? <http://bit.ly/LLEIwp> (Dean Gonsowski)
- Court Dismisses Countrywide Data Theft Suit - <http://bit.ly/PC4fgK> (Justine Gottshall)
- Crashing the Third Party: Experts Weigh How Far the Government Can Go in Reading Your Email - <http://bit.ly/PHUzkO> (Richard Brust)
- Days Five and Six of a Predictive Coding Narrative: Deep into the Weeds and a Computer Mind-meld Moment - <http://bit.ly/NMrVLS> (Ralph Losey)
- eDiscovery: 4 Tips for Managing the Document Review Process – <http://bit.ly/LEE9ZO> (Alvin Lindsay)
- Electronic Discovery 2012: Coming Back to Earth, by Way of the “Cloud” – <http://bit.ly/LCcKYD> (Michael Reynolds)
- Employee Smartphones and Tablets Behind Your Firewall - <http://bit.ly/Ls32mT> (Greg Buckles)
- Ex-Spouse Hit With 20K in Damages for Email Eavesdropping – Klumb v. Goan – <http://bit.ly/OkMJum> (Venkat Balasubramani)
- Factual Material Considered by Expert Is Discoverable Despite Expert Witness Amendments - <http://bit.ly/LuCGRb> (Gregory Joseph)
- Failure to Issue a Written Litigation Hold Not Necessarily Fatal - <http://bit.ly/LKUv36> (Thomas Tobin)
- Five Guidelines for Completing the Best Document Review Project – <http://bit.ly/PA7xAZ> (Jonathan Easton)
- Google’s Privilege Claim: A Cautionary Tale - <http://bit.ly/PICzwf> (Miller Canfield)
- Increasing Judicial Acceptance of Computer-Assisted Document Review – <http://bit.ly/PgsP30> (White & Case)
- Judge Scheindlin advises Keyword Search Inadequate, Recommends Predictive Coding as a Best Practice - <http://bit.ly/PCxlfX> (Bill Tolson)
- Judge Scheindlin Says “No” to Self-Collection, “Yes” to Predictive Coding - <http://bit.ly/Oe8agI> (Doug Austin)

- Kleen Case May Have Another Evidentiary Hearing on Search Methodologies (PDF) <http://bit.ly/PmIRf2> (United States District Court, Northern District of Illinois)
- Lawyerbots Take The Strain - <http://bit.ly/PHZYIG> (Charles Holloway)
- Law Tips: e-Discovery in Business Litigation | Indiana Continuing Legal Education Forum – <http://bit.ly/PnvUBH> (Nancy Hurley)
- Law Tips: E-Discovery Part 2 | Indiana Continuing Legal Education Forum – <http://bit.ly/LvOqTm> (Nancy Hurley)
- Leveraging the FRCP to Minimize eDiscovery Costs - <http://bit.ly/OcbWY0> (Mike Hamilton)
- Litigation Hold for eDiscovery - Gross Negligence Standard Rejected – <http://bit.ly/PA6C3t> (Peter Vogel)
- New Florida eDiscovery Rules Continue Federal Trend - <http://bit.ly/PhbZ7w> (Kelly Twigger)
- Panel Debunks Predictive Coding Myths - <http://bit.ly/PgqR2t> (Monica Bay)
- Post-Deposition Changes to Deposition Transcript – Circuit Split On Material Substantive Alterations - <http://bit.ly/PyKq9X> (Gregory Joseph)
- Predictive Coding - Clawing Back Privileged Documents - <http://bit.ly/NPxN75> (Hayes Hunt, Jillian Thornton)
- Predictive Coding on the Move - <http://bit.ly/LFv12C> (Chris Dale)
- Predicting Enterprise TAR: Why Smart CIOs and GCs Should Be Talking To Each Other - <http://bit.ly/LuW13x> (Gerard Britton)
- Second Circuit Refuses to Find Failure to Issue Litigation Hold Gross Negligence Per Se - <http://bit.ly/PnuEyx> (Kevin Kelly)
- Streamlining Discovery Motions: What Judges Want to See - <http://bit.ly/PE2kIy> (Carol Heckman)
- “Take it e-sy” : Electronic Discovery Law- Julie Anne Halter - <http://bit.ly/LCKLrS> (K&L Gates)
- Seventh Circuit Lays Groundwork to Assert Fair Use Without Discovery - <http://bit.ly/PHV8Ll> (Robert Clarida, Robert Bernstein)
- Successful eDiscovery with BYOD: Best Practices in the Enterprise – <http://scr.bi/LKzlxn> (Intel IT)
- The Cowen Group Q3 Kick Off In New York City - <http://bit.ly/LHKVcI> (Barry Murphy)
- The High Price Of Privacy: A Looming Mess For Litigators – <http://onforb.es/LuBTQl> (Thomas Barnett)
- The Legality of eDiscovery Vendors - <http://bit.ly/LyBG34> (Linda Sharp)
- Transparency the Key to Successful eDiscovery - <http://bit.ly/PE1zPD> (Peter Coons)
- We’ve Come for Your Tweets: Twitter to Appeal Denial of Motion to Quash District Attorney’s Subpoena – <http://bit.ly/PC4Df8> (Alexander Lawrence, Erin Herlihy)
- What is a Reasonable Search? <http://bit.ly/LyBqkR> (Josh Gilliland)
- Written Legal Holds: Standard Should Not Change Even with Recent Ruling – <http://bit.ly/PnqoiL> (Mike Hamilton)

Reports and Resources

- An Updated Technology Assisted Review Backgrounder - <http://bit.ly/IiTGtb> (@OrangeLT)
- DCIG Announces Industry’s First, Most Comprehensive ECA Software Buyer’s Guide - <http://bit.ly/Ls3eT7> (Charles Skamser)
- eDiscovery in SharePoint 2013 - <http://bit.ly/PC5pc1> (MSDN)
- Legal Technology Observer Time Capsule Today on LegalIT Professionals Site - <http://bit.ly/OelGkn> (Press Release)
- Mid-Year Report: Legal Cases Involving Social Media Rapidly Increasing – <http://bit.ly/PC19Jz> (John Patzakis)
- Need an Example of a Social Media Policy? – Please Advise - <http://bit.ly/PnxFPPr> (Lyda Hawes)
- Official Publication Announcement: EDRM Model Code of Conduct (MCoC) <http://bit.ly/Mr50rM> (EDRM)
- Social Media Archiving and Collection for eDiscovery? <http://bit.ly/JCz7fo> (@ComplexD)
- The Rear View Mirror on Google+: 5 Top Stories From Last Week’s Unfiltered Orange Newsletter - <http://bit.ly/LHFDro> (@OrangeLT)

- Western District of Pennsylvania – Electronic Discovery Special Masters Program – <http://1.usa.gov/LIgsBN> (EDSM)

Sight and Sound

- 20 Questions about Information Governance in 40 Minutes - <http://bit.ly/LD48Rr> (Barclay Blair)
- Blast From The Past: 2011 Intermountain eDiscovery Conference With Ralph Losey - <http://bit.ly/wRSq4r> (@OrangeLT)
- Case in Point for Monday, July 23rd, “TARpit” <http://bit.ly/LHzCkW> (Tom Fishburne)
- Focus on Privacy: The Facebook Internet Tracking Case - <http://bit.ly/LHJcnJ> (Sharon Nelson, John Simek)
- Video from University of Maine Center for Law and Innovation Program on “Privacy in Practice” <http://bit.ly/Oe9nVj> (Stephanie Nguyen)

Technology and Tactics

- 80% of the World’s Data Resides on Tape; Interview with Spectra Logic CEO Nathan Thompson - <http://bit.ly/LCc8SQ> (Jerome Wendt)
- Apple’s Newest Operating System Mountain Lion Is Available Now! – Business Insider - <http://read.bi/LNggPE> (Kevin Smith)
- BigLaw CIOs Lament BlackBerry’s Woes - <http://bit.ly/PE2zDt> (Evan Koblentz)
- Dealing with Malicious Links in Email - <http://bit.ly/OaNA0H> (Jeff Orloff)
- Ditch the Moving Parts – Speed, Storage and SSDs - <http://bit.ly/LKwKnc> (Jon Dawson)
- Exchange 2013 Preview Launch - <http://bit.ly/LC6YGg> (B.K. Winstead)
- Face Off: Consumer Sues Hockey Team Over Text Messages - <http://bit.ly/PnwCPv> (Julie O’Neil, Mridhula Raghupathy)
- Facebook is Ripe for Privacy Rulings by the Courts - <http://bit.ly/Ls4PZ2> (Mario Sciallo)
- Gartner: Spending On Public Cloud Services Growing Rapidly - <http://bit.ly/LEBhfv> (Jack McCarthy)
- Google to Apple: We’ve Got Mail! - <http://nyti.ms/LGf2kV> (Quentin Hardy, Claire Cain Miller)
- How Many Requests for User Information is Twitter Receiving? It’s Transparent – <http://bit.ly/LvMcn5> (Doug Austin)
- How Secure is Your Organization’s Data? <http://bit.ly/PEpOgt> (Paul Matthews)
- Leaving With The Work Computer On – <http://bit.ly/PAbTrP> (Michael Schmidt)
- Legal Process Outsourcing: A Viable Alternative or The Ethical Choice? <http://bit.ly/LC6ujJ> (Mark Ross)
- Managing Big Data Behind the Firewall: Part 2 - <http://bit.ly/PICXuI> (Tom Jenkins)
- Microsoft Upgrades the Microsoft Outlook Configuration Analyzer Tool – <http://bit.ly/PC419b> (Casper Manes)
- Navigating California’s Data Breach Notification Statute - <http://bit.ly/LyALjf> (Edward Ho, Andres Hurwitz)
- New Article in ABA Antitrust Magazine Contrasts EU-US Proposals for New Privacy Framework - <http://bit.ly/LCdl7d> (Winston Maxwell, Chris Wolf)
- Police Make Wide Use Of Social Tools - <http://bit.ly/LHu8qh> (Patience Wait)
- Recognition of Electronic Signatures for Affirmations in N.Y. Courts – <http://bit.ly/LxQPgy> (Thomas Gleason)
- Risks in Big Data Attract Big Law Firms – <http://bit.ly/PyHPgi> (Monica Bay)
- Scrapping Client Access Licensing for Multi-Mailbox Search is Welcome Change – <http://bit.ly/LvO27z> (John Mello)
- Smartphone Email Signatures - <http://bit.ly/LMkHpy> (Beverly Michaelis)
- Social Media: Risk Management - <http://onforb.es/PpZMgY> (Ken Makovsky)
- Ten Steps To IT Transformation – <http://bit.ly/PDXjzr> - (Chuck Hollis)

- The Article 29 Working Party Issues Opinion on Cloud Computing – <http://bit.ly/LuDfdI> (Cynthia O’Donoghue)
- The Sale of Nicira, Cheaper Clouds and Troubled Cisco - <http://nyti.ms/LKvGzQ> (Quentin Hardy)
- Tracking Email? How An Obsessive Fan Knows Jay-Z Is Reading His Emails - <http://bit.ly/LD78NN> (Kasmir Hill)
- Twitter Is Working on a Way to Retrieve Your Old Tweets - <http://nyti.ms/PHYz4L> (Jenna Wortham)
- Why US Firms Are Using Fewer IT Services From India - <http://bit.ly/Oe9D6J> (Mary Jander)

Vendor Views

Industry Landscape

- 17a-4 llc Provides Free Social Media Capture Service - <http://bit.ly/LKxZTi> (PR Web)
- AccessData: Preparation = Confidence = Victory - <http://bit.ly/PrpX6Y> (Tim Leehealey)
- Aderant Unfolds Software Integration Map of Recent Acquisitions – <http://bit.ly/LD32Fw> (Evan Koblentz)
- Australia: e.law Legal Services tackles eDiscovery - <http://bit.ly/PDYLIc> (Image and Data Manager)
- Autonomy Founder Lynch Said to Plan London Technology Fund – <http://bloom.bg/PmJRQu> (Matthew Campbell, Jacqueline Simmons)
- At the Carmel Valley eDiscovery Retreat – An Orange Legal Technologies Update – <http://bit.ly/LvcdTG> (@OrangeLT)
- BeyondRedaction NOW Available in ReadySuite v4.4 - <http://bit.ly/LKDcup> (Web Announcement)
- BIA Hires Robin Thompson as Manager of Client Relations - <http://on.mktw.net/PFqnGM> (PR Newswire)
- Blackstone eDiscovery Partners with TotalDiscovery.com - <http://bit.ly/LJqhhc> (Announcement)
- Call for Collaboration for a Singapore eDiscovery SAAS by Singapore Academy of Law - <http://bit.ly/PA90r7> (Serena Lim)
- Catalyst Recognizes Global Technology Company Ricoh as ‘Summit Partner’ –<http://bit.ly/Pnx8wT> (Press Release)
- Cloud Computing, Advanced Persistent Threats and BYOD Are Biggest IT Security and eDiscovery Issues - <http://on.mktw.net/Oe8WKM> (Business Wire)
- DTI Adds Jay Koza as Vice President of Business Development, Boosts Its eDiscovery Team - <http://bit.ly/LJuNax> (Press Release)
- EMC’s Second-Quarter 2012 Earnings Results Available on EMC.com - <http://bit.ly/PGaH6j> (PR Newswire)
- Fastcase Announces 2012 “Fastcase 50” Award Winners - <http://bit.ly/LD5HPq> (Press Release)
- FTI Consulting to Release Second Quarter 2012 Results and Host Conference Call – <http://bit.ly/LuAVTZ> (Press Release)
- GlobalEDD Group Introduces Global Discovery Network featuring Cloud eDiscovery Services - <http://bit.ly/LD3zY2> (Press Release)
- Guidance Software Ranked #1 in DCIG eDiscovery Early Case Assessment Software Buyer’s Guide - <http://bit.ly/PE3gwo> (Business Wire)
- Guidance Software to Announce 2012 Second Quarter Financial Results -<http://bit.ly/Ls37qI> (Business Wire)
- Hudson Legal Becomes First Recommind Predictive Coding Partner – <http://bit.ly/LCdSLU> (Evan Koblentz)
- iCONNECT Deals Brings Xera to UK Provider MD5 and to Integreon – Project – <http://bit.ly/NJaNqi> - (Chris Dale)
- iDiscovery Adds James Whitehead as Project Manager - <http://bit.ly/LNwBiQ> (Press Release)
- Integreon Expands E-Discovery Hosting Services - <http://bit.ly/LNvvna> (Compliance Week)
- Intermountain eDiscovery Conference Provides Latest Information on Digital Discovery - <http://bit.ly/Luz5md> (PR Web)

- kCura Recognized as One of Chicago's Best and Brightest Companies to Work For – <http://yhoo.it/PlwdwQ> (Yahoo! Finance)
- Kroll Ontrack Automates Data Recovery Service Experience for Partners with Launch of Partner Portal - <http://yhoo.it/PETpGD> (Business Wire)
- LexisNexis Launches Full Suite of Practice Areas for LexisPSL – <http://on.mktw.net/LIgmUf> (Business Wire)
- Mindseye – “Mining for Discovery Gold: How the Study of Past ESI can Inform Your Current Case” <http://bit.ly/PDYejp> (PR Web)
- More about the Legal Hold and ECA Optimization Service from Guidance Software – <http://bit.ly/LD4mYK> (Chris Dale)
- Nuix 4 Delivers Innovative Features and Uses Cases for eDiscovery, Investigation and InfoGovernance - <http://on.mktw.net/PIBXXr> (Business Wire)
- PitneyBowes Software Releases the Spectrum Master Data Management Platform - <http://bit.ly/LNwdRm> (Press Release)
- Planet Data Awarded Relativity Best in Service Designation for the Third Consecutive Year - <http://bit.ly/LNuNGD> (Press Release)
- ReadySuite Integrates with iCONNECT's XERA eDiscovery Review Platform – <http://bit.ly/LuAEQW> (PR Web)
- RSD and Strait & Associates Announce Strategic Partnership – <http://yhoo.it/LsjVhn> (PR Web)
- SharePoint Views and Managed Metadata Leveraged in New 1.5 Release – <http://bit.ly/LJua0V> (Announcement)
- Stored_IQ Creates a Big Data ‘Start Button’ with DataIQ - <http://bit.ly/LIgdQq> (Press Release)
- TalkTalk Invests in Nexidia Advanced Interaction Analytics to Ensure Continuous Quality Improvement - <http://bit.ly/LHCez2> (Press Release)
- Thomson Reuters Supports The Co-operative's Expansion in Legal Services with Advanced Matter Management – <http://bit.ly/LNxMPk> (@LegalIT)
- WaveSoftware's Trident Expert Announces Support for Cloud Nine Discovery's OnDemand Platform - <http://yhoo.it/LuFJZM> (PR Web)
- Xerox Reports Second-Quarter 2012 Earnings - <http://bit.ly/LD63p4> (Xerox)

2012 eDiscovery Events

AUGUST

ILTA Annual Conference 2012

August 26 – 30, 2012

Washington, DC

SEPTEMBER

Intermountain eDiscovery Conference 2012

September 13, 2012

Salt Lake City, UT

ACC Annual Meeting

September 30 – October 3, 2012

Orlando, FL

OCTOBER

EDI Leadership Summit 2012

October 17 – 19, 2012

Fort Lauderdale, FL

NOVEMBER

LawTech Europe Congress

November 12, 2012

Prague, Czech Republic

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>.