

ComplexDiscovery | Weekly eDiscovery Top Story Digest

March 26, 2014



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.

- Access to Cellular Phone Records by Defense Counsel – <http://bit.ly/1dkMkd3> (Darren Gelber)
- Are Internal Investigations Protected by Attorney-Client Privilege and Work Product Doctrine? <http://bit.ly/1l02efd> (Kelly Schulz, Cori Turner)
- Boosting User Confidence in eDiscovery Tools - <http://bit.ly/1igR3uZ> (@WSJ)
- Building Cost Savings, Predictability And Defensibility Into Your eDiscovery – <http://bit.ly/1mt5m3u> (Rose Jones)
- Canada: Electronic Evidence Case – Criminal Law and Social Media – <http://bit.ly/1iK8tRE> (John Gregory)
- Clawback Rights Upheld and Plaintiff Sanctioned for Refusal to Comply Concerning Inadvertently Produced Privileged Documents – <http://bit.ly/1jggJSU> (Doug Austin)
- Changes in Regulations Allow Litigation Support Government Contractors To Access Sensitive Information – <http://bit.ly/1oEy9k8> (Reed Smith)
- Cloud-based eDiscovery Can Mean Big Savings for Smaller Firms – <http://bit.ly/1iqfR7w> (Joe Dysert)

- Conferring on Keywords & A Musical Judge – <http://bit.ly/1dkK6u3> (Josh Gilliland)
- Dear Mr. Snowden: Is it Reasonable to Expect my Attorney-Client Communications are Confidential? <http://bit.ly/NzHVWY> (Gil Keteltas)
- Dispute Sees Court Request Cooperation from Both Parties to Avoid Court-Ordered Middle Ground - <http://bit.ly/1jm54ep> (Doug Austin)
- EDRM Releases A New Model For Analyzing Private Data - <http://bit.ly/1h5V424> (David Deusner)
- E-Discovery Under the Minnesota Rules: Where We've Been, Where We Might Be Headed –<http://bit.ly/1IODv7V> (JoLynn Markison)
- Expertise And Experience In International eDiscovery, From Start To Finish – <http://bit.ly/1juTTfk> (Todd Tabor, Jennifer Peru Gary)
- Is Your TAR Really Text-Assisted-Review? (And Why It Should Matter to You) <http://bit.ly/1hs41mq> (John Martin)
- Judge John Facciola Exposes Justice Department's Unconstitutional Search and Seizure of Personal Email – <http://bit.ly/1jv1fiZ> (Ralph Losey)
- Juror's Facebook Email to Witness during Trial Requires Remand - <http://bit.ly/1IODPn6> (Joseph Hage Aaronson)
- Key eDiscovery Cases in February – Technology Law Source - <http://bit.ly/1mlsYHe> (Jay Yurkiw)
- Key Takeaways from New E-Discovery Preservation Survey – <http://bit.ly/1oEAw6w> (Andrew Bartholomew)
- Planning for the Unexpected: Changing eDiscovery Providers on Short Notice – Best Practices - <http://bit.ly/1gxozZg> (Ronke Ekwensi)
- Quick Access Hashtag: #eDiscovery on Tagboard – <http://bit.ly/1mmF7M2> (Tagboard)
- Rule 34(b)(2)(E)(i) "Documents" Do Not Include ESI, Requirement to Produce in Usual Course of Business or to Label to Correspond to Categories in the Request Does Not Apply - <http://bit.ly/1mssrTX> (K&L Gates)
- Statistical Analysis in eDiscovery PredictiveCoding – <http://bit.ly/1g7S4pj> (Maureen O'Neil)
- Technology: Turning Document Review Expense into Assets – <http://bit.ly/1eVhX7M> (Andy Kraftsow)
- The Digital Frontier of Litigation and the Explosion of Social Media – <http://bit.ly/1r4KtfW> (Amy Burton Loggins)
- The Evolving Role of the eDiscovery Special Master – <http://bit.ly/1dn8UBK> (Richard Levie)
- The Social Media Frontier: Exploring a New Mandate for Competence in the Practice of Law - <http://bit.ly/1dkMP6S> (@ACEDSonline)
- Twitter, Evidence, Privacy and Social Media - <http://bit.ly/1I7k53U> (@HayesHunt)
- What Draft Rule 37(e) Suggests for Evidence Spoliation - <http://bit.ly/1jqjURI> (Eric Robinson)
- What Is The Difference Between A Developer, An Integrator And An Aggregator? Considering eDiscovery Providers - <http://linkd.in/1ivyBih> (@ComplexD)
- Using ESI Sampling to Reduce #eDiscovery Costs - <http://bit.ly/1g5bTc5> (Philip Favro)
- Using TAR in International Litigation: Does Predictive Coding Work for Non-English Languages? <http://bit.ly/1ivvcQB> (John Tredennick)



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.

- 3 Keys To Avoiding BYOD Breaches – <http://bit.ly/1igPlo1> (Diana Manos)
- An Interactive Map of Online Threats – <http://bit.ly/1jqb1qL> (Serge Malenkovich)
- Be Careful Beating Up Target (Part 1) – <http://bit.ly/1jqaeGg> (Craig Carpenter)
- Be Careful Beating Up Target (Part 2) – <http://bit.ly/1jB7MZi> (Craig Carpenter)
- Best Practices for FCPA Investigation Document Holds – <http://bit.ly/1qYVShb> (Carlos Ayres)
- BigData - Do You Have a Right to Know Your Data? <http://bit.ly/1g4FIi9> (@PeterSVogel)
- Board Reform: The Unpredictable Factor of Personal Interactions - <http://bit.ly/NzIGPR> (Michael Volkov)
- Catch Up with Tech or Lose your Career, Judges Warn Lawyers – <http://bit.ly/1jBhoTQ> (Joe Dysart)
- Coming Soon – The Jurisdictional Implications of Social Media Posts - <http://bit.ly/1eVgX3s> (Kirk Jenkins)
- Computer Fraud and Abuse Act Claims in the First Circuit – Will the Narrow Approach Prevail? <http://bit.ly/1mt1klI> (Dawn Mertineit)
- DOJ Consent Decree Provides Guidance on Web Accessibility Compliance Under ADA – <http://bit.ly/1r4L55g> (Mark Paulding)
- Employer Access to Employee Social Media: Applicant Screening, ‘Friend’ Requests and Investigations - <http://bit.ly/1mt138v> (@MoFoSocMedia)
- FDA Cautions Big Pharma for Failure to Warn on Facebook - <http://bit.ly/111Vcq4> (Marlisse Silver Sweeney)
- FERC Orders Reliability Standards for Physical Security of the Grid - <http://bit.ly/1dn9EqG> (Linda R. Evers)
- Intra-Company Disputes: Implications for the Attorney-Client Privilege and Fiduciary Duties – <http://bit.ly/1lgrzS0> (Shep Davidson)
- Is Cloud Computing Secure for Financial Services Industry? <http://bit.ly/1onWhYo> (Alok Misra)
- Lack of Social Media Archiving Exposes UK Businesses To Risk – <http://bit.ly/1juWI5s> (Ben Rossi)
- Legal Cost and Matter Management Illustrated – Legal Project Management – <http://bit.ly/NzEmjH> (Anthony Smith)
- Managing M&A Data Threats – <http://bit.ly/1ganBZ6> (Vinod Bange, Taylor Wessing)
- Non-U.S. Companies Struggle to Implement U.S.-Style Document Retention Policies – <http://bit.ly/1mltc1h> (Masahiro Tanabe)
- Preparing For Zombie Invasion: Demonstrating ROI Of A Litigation Readiness Plan - <http://bit.ly/1g7Kr2A> (Trent Livingston, Bobby Williams)

- Privacy and Trade Group Focused on Cross-Border Data Flow - <http://bit.ly/1jqjFFN> (Andrew Ramonas)
- Reinvent Law Video: Richard Susskind – The Future of Artificial Intelligence and Law – <http://bit.ly/1lgpwxx> (Daniel Katz)
- Roundtable: Navigating Ever-Changing Laws And Regulations – <http://bit.ly/NzGFTS> (Sills Cummis & Gross)
- Successful Compliance Depends on Valuing the Talents of Compliance Professionals – <http://bit.ly/1mstaEC> (Jerry Shafran)
- Suppliers Focused on Improving Their Data Analytics – <http://bit.ly/1mstiUN> (Pinsent Masons)
- The Importance of a Risk Assessment – <http://bit.ly/1r4JJJ8> (Michael Volkov)
- Using Technology To Improve Your Compliance Program (Part 1) – <http://bit.ly/1gK0Fea> (Julie DiMauro)
- Yes, Disclosures On Social Media Are Still Disclosures – <http://bit.ly/1lqvEWA> (Michael Schmidt)
- Who Will Pay the Price When Tragedy Strikes the Internet of Things – <http://bit.ly/1iHUifU> (Sean Martin)



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.

- 451 Research - Mindseye Looks To Make TunnelVision The Lawyer’s Hub For eDiscovery (PDF) – <http://bit.ly/1jh1vSr> (David Horrigan)
- Announcement: TrustPoint International Appoints Jennifer Peru Gary to Head White Collar Defense, Internal and GOVT Investigations Unit - <http://bit.ly/1ju7fwL> (@TrustPointIntl)
- Autonomy’s Lynch Says Hewlett-Packard Misleads Shareholders - <http://bloom.bg/1mhcose> (Amy Thomson)
- BeyondRecognition: Visual Clustering – Understanding Graphics-Based Document Classification - <http://buff.ly/1iAZIOj> (@BeyondRecog)
- BigHand Acquires Esquire Innovations - <http://bit.ly/1gb7Ukc> (Sean Doherty)
- Complete Discovery Source eDiscovery Announces ISO 27001 Re-Certification - <http://bit.ly/1g0yaYU> (PR Web)
- eDiscovery Profiles: Craig Ball of Craig D. Ball, P.C. – eDiscovery Trends, Part 1 – <http://bit.ly/NwOeuu> (Doug Austin)
- eDiscovery Profiles: Craig Ball of Craig D. Ball, P.C. – eDiscovery Trends, Part 2 - <http://bit.ly/1h5YiTe> (Doug Austin)
- eDiscovery Profiles: Do You Know Charlotte Riser Harris? <http://bit.ly/1dqMoYl> (Doug Austin)

- eDiscovery Profiles: Do You Know Duane Lites? <http://bit.ly/1gOHhwz> (Doug Austin)
- D4 Discovery Expands its NYC Office to Accommodate Growth and the Addition of Two Industry Veterans - <http://bit.ly/1eVf2w2> (Press Release)
- Digital WarRoom and The Mainstream Majority: eDiscovery in the Real World - <http://bit.ly/1l3d0RR> (Bill Gallivan)
- Empire Discovery Team First to Become EDT Accredited in the US - <http://bit.ly/1msuTd4> (PR Web)
- Falcon Discovery's InsideOut Managed Legal Service Solution Delivers \$3M Savings to Fortune 50 - <http://reut.rs/1hmx1Mc> (Press Release)
- Financial Post Best Managed Winners 2013 – 18. @GlobalRelay - <http://bit.ly/1iBaz4U> (Alexandra Lopez-Pacheco)
- Former SEC Communications Director and DOJ Spokesperson Myron Marlin Joins FTI Consulting - <http://bit.ly/1g7SIDL> (Press Release)
- Getting Smart With Email In eDiscovery - How Email Threading Can Lower Costs And Increase Speed - <http://bit.ly/1l1k9jb> (Barclay Blair)
- Guidance Software Announces 2014 Annual Meeting of Shareholders (NASDAQ:GUID) - <http://bit.ly/NwOmdo> (Press Release)
- Guidance Software Announces Support for POS Terminals with @EnCase - <http://bit.ly/1g7SRa7> (Press Release)
- Head of Catalyst's Korea Office Publishes Book on eDiscovery for Businesses - <http://bit.ly/1mmBKVm> (Bob Ambrogi)
- Huron Consulting Group Adds Expert Focused on Analytics Solutions for the C-Suite - <http://bit.ly/1g7RsQV> (Press Release)
- Information Governance: Solving The Problem Of Over-Preservation – <http://bit.ly/1ihgf4w> (Mary Mack)
- Jordan Lawrence Teams Up with HP Autonomy and Littler Mendelson to Tackle Defensible Deletion - <http://bit.ly/1gOKHiM> (PR Web)
- Law Firm Evolution: Legati Chooses Nextpoint to Provide In-House eDiscovery Technology - <http://bit.ly/1jqgmyh> (PR Web)
- Lessons Learned at SharePoint 2014 - <http://bit.ly/1mt0GKW> - (James Amsler)
- Managed eDiscovery Services Provide Legal Departments with Savings, Efficiencies and Flexibility - <http://bit.ly/1eYlgKq> (@eTERAConsulting)
- Merrill DataSite® Virtual Data Room Honored as “Information Management Services of the Year” - <http://yhoo.it/1hnc9Qh> (Business Wire)
- Nuix and ITU-IMPACT Partner in Building Capacity to Address Global Cyber Threats - <http://bit.ly/1l3cTG1> (Press Release)
- OpenText delivers on the future of BPM with launch of Project Red Oxygen's Process Suite - <http://bit.ly/1jqcygL> (@ITWeb)
- Overview of the 2nd Annual New Zealand eDiscovery Conference - <http://bit.ly/1jqheD7> (Andrew King)
- Pacxa Joins Digital WarRoom Partner Network to Provide Hosted eDiscovery Services in Hawaii - <http://bit.ly/1jBtAnL> (PR Web)
- Phoenix Datacom to Augment Digital Forensics Capabilities for UK Government Departments and Enterprise - <http://bit.ly/1lgsodJ> (PR Web)
- Qumu Integrates Nexidia SearchGrid Technology Into Its Enterprise Video Platform - <http://bit.ly/1l3d8Rt> (Press Release)

- RenewData Awarded Patent for Backup Tape Processing Technology - <http://yhoo.it/1iUmiNr> (@Marketwired)
- Sean Byrne and Matt Jackson Join Clutch Group as Senior Directors - <http://bit.ly/1msgCGA> (PR Web)
- Search as a Desktop Virtualization Enabler - <http://bit.ly/1hmfJiz> (@BarryJMurphy)
- Second Request Completed Ahead of Schedule in the Face of Expanding Data Collection (PDF) <http://bit.ly/1eYln8Q> (Tech Law Solutions)
- Symantec Announces CEO Transition - <http://bit.ly/1eYJpSi> (Press Release)
- TAR “Inconceivably” Confuses Audience at ASU/Arkfeld eDiscovery Conference - <http://bit.ly/1g4Dn6F> (@Dean_Gonsowksi)
- Video: eDiscovery Implications in Government Investigations – <http://bit.ly/1eYJxRv> (DTI Global)
- What to Look for in an eDiscovery Vendor - <http://bit.ly/NzEpMp> (DScovery)



Industry Conferences, Events and Meetings

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

2014 eDiscovery Events

MARCH

ABA TECHSHOW

March 27-29, 2014

Chicago, IL

[Click here for more information.](#)

APRIL

AllIM Conference 2014

April 1-3, 2014

Orlando, FL

[Click here for more information.](#)

2nd Annual Consortium on Litigation, Information Law and E-Discovery

April 20, 2014

New York, Chicago, San Jose

[Click here for more information.](#)

ACEDS 2014 E-Discovery Conference & Exhibition

April 27-29, 2014

Hollywood, FL

[Click here for more information.](#)

MAY

The 14th Annual Super Conference (Inside Counsel)

May 12-14, 2014

Chicago, IL

[Click here for more information.](#)

FOSE

May 13-15, 2014

Washington, DC

[Click here for more information.](#)

Access Data User's Conference

May 13-16, 2014

Las Vegas, NV

[Click here for more information.](#)

AUGUST

ILTA 2014

August 25-28, 2014

Nashville, TN

[Click here for more information.](#)

OCTOBER

Relativity Fest

October 12-15, 2014

Chicago, IL

[Click here for more information.](#)

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