

Unfiltered Orange | Weekly eDiscovery News Update – April 18, 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 is for Appeal: Peck's Approval of Computer-Assisted Review Under Review – bit.ly/HUEouM (Leah Glashofer)
- A "Kleen" Miss - bit.ly/HIyOKx (BLLAWG)
- A Spoliation Ace in the Hole - bit.ly/lxxb3y (Brian Kint)
- Articles on eDisclosure, eDiscovery, Cooperation and Privacy by UK and US Judges - bit.ly/IQOrpb (Chris Dale)
- Bad Soup: Boiled Frog, Mouse Balls and Lawyer Eyes – bit.ly/JoJspy (Craig Ball)
- Big Data hits the Big Time - bit.ly/HPLnr2 (Nick Patience)
- CAFC Chief Judge Rader on Curbing eDiscovery, Part II | Gibbons - bit.ly/IS0D6j (Ralph Dengler)
- Can the Government Force the Surrender of Encryption Keys? bit.ly/HzXpGZ (Joshua Engel)
- Communications with Unretained Experts, Unprotected by Rule 26(b)(B)(4)(C) – Any Exceptions? bit.ly/Jp0B2w (Gregory Joseph)
- Conjecture is Not Spoliation - bit.ly/IA2bSP (Josh Gilliland)
- eDiscovery Case Law: The Other Technology Assisted Review Case - bit.ly/HKUJB8 (Doug Austin)
- eDiscovery Costs as Taxes Assessed Upon the Loser? Third Circuit Says No - bit.ly/HzginW (Leonard Deutchman)
- eDiscovery Dispute Yields Formal Recusal Request in 'da Silva Moore' - bit.ly/J8frLe (Sean Doherty)
- eDiscovery is About Trust and Transparency - bit.ly/Hq2UEG (Tim Leehealey)
- eDiscovery Lessons of "Downton Abbey" - bit.ly/HHQlbu (Erin Nealy Cox)
- eDiscovery – Outlook Data File Types - bit.ly/If8ir6 (Amy Bowser-Rollins)
- Electronic Discovery as a Modern Convenience: A Burden or a Boon? - bit.ly/IfsYPD (Erin Hendrix)
- Embracing an Electronic Documents Questionnaire - bit.ly/IDiWcq (Andrew King)
- Emerging Standards on Government's eDiscovery Obligations - bit.ly/HEsR6o (Norman Simon, Brendan Schulman, Samantha Ettari)
- Extensive Discovery Changes Proposed for N.J. Criminal Cases – bit.ly/Ifejnl (Mary Pat Gallagher)
- Good, Better, Best: a Tale of Three Proportionality Cases – Part Two - bit.ly/wfbqR0 (Ralph Losey)
- Google Is Faulted for Impeding U.S. Inquiry on Data Collection - nyti.ms/JoMCd9 (David Streitfeld)
- Implementing a Litigation Hold | Kelley Drye - bit.ly/HzTaWA (PDF) (Nicolas Panarella, Wook Kim)
- In Electronic Discovery, Poorly Done Demands Can Become Million Dollar Mistakes – bit.ly/HBtF8C (Lauren Cannataro)
- Kleen Products vs Da Silva Moore: Measurement vs Method - bit.ly/HMCgJz (Greg Buckles)
- Leading Federal Court Decision Opens Doors to Wider Use of Computer-Assisted Review – bit.ly/JwXNR0 (Deanna Blomquist, Aaron Van Oort)

- New Zealand's New Discovery Rules and Electronic Discovery - bit.ly/IxvGT1 (Chris Dale)
- "P" is for Processing: Part 2 - bit.ly/HBCmzR – Part 3 – bit.ly/IUGT4x (Chuck Rothman)
- Plaintiffs Ask Judge Nan R. Nolan to Go Out On Limb In Kleen Products Predictive Coding Case - bit.ly/HGgMfD (Matthew Nelson)
- Proportionality Demystified: How Organizations Can Get eDiscovery Right by Following Four Key Principles – <http://bit.ly/IUFds3> (Philip Favro)
- Redefine Transparency in Predictive Coding: Shoot for Validity - bit.ly/HL7PhL (Gerard Britton)
- Robinson v. City of Arkansas: A Refresher on How to Respond, Object to Discovery Requests - bit.ly/IA20ae (Mike Hamilton)
- Two First Department Decisions Adopt 'Zubulake' - bit.ly/HEtIUC (Daniel Brown, Valentina Shenderovich)
- Unraveling How More than \$1.6 Billion Disappeared - bit.ly/HFR2QA (Jon Resnick)
- Updated Article on Internet & Email Evidence (Part 2) - bit.ly/HEoQPi (Gregory Joseph)
- Updates on 2011 TREC Results, EDI Project - bit.ly/HIutaf (Evan Koblentz)
- U.S. Data Privacy Laws Challenge the eDiscovery Process - bit.ly/IxtYRC (Andrew Bartholomew)
- Using a Neutral Third Party to Resolve or Prevent Disclosure Disputes - bit.ly/JoLypA (Chris Dale)

Reports and Resources

- 689 Published Cases Involving Social Media Evidence – bit.ly/HIuKdb (John Patzakis)
- Digital Differences (Demographics of Internet Usage) - bit.ly/JoQGK9 (Kathryn Zickuhr, Aaron Smith)
- DLA Piper: Data Protection Laws of the World Handbook - bit.ly/ID3Nrx (Megan Muir)
- Introducing the NLJ 350 - bit.ly/HPM4AI (The National Law Journal)
- PwC Releases 2011 Securities Litigation Study - bit.ly/HzY5a1 (Kevin LaCroix)
- The Corporate eDiscovery Forum - bit.ly/HKVgmz (CEDF)
- The Future of Money in a Mobile Age | Pew Internet (PDF) bit.ly/IxwcAn (Aaron Smith, Janna Anderson, Lee Rainie)
- The Rear View Mirror on Google+: Top 5 Stories From Last Week's Unfiltered Orange Newsletter - bit.ly/JoZcJ9 (@OrangeLT)
- Where Does The US Rank on the Networked Readiness Index? - onforb.es/HBvHp3 (Zoe McKay)
- Where the Money Goes: Understanding Litigant Expenditures for Producing Electronic Discovery | RAND – <http://bit.ly/HCCdY2> (Nicolas Pace, Laura Zakaras)

Sight and Sound

- Case in Point: Early Data Analysis - bit.ly/HM288p (Case Central)
- eDiscovery Protocol for the DOJ in Criminal Cases - bit.ly/IxwPKe (John Haried, Allison Walton)
- Lessons for Companies from Massive Global Payments Inc. Data Breach – Shook Hardy's Al Saikali - bit.ly/HKUW9X (Colin O'Keefe)
- Mallesons' Gerard Neiditsch on an App to Keep Attorneys Connected - bit.ly/IfeXI9 (Monica Bay)
- Robin Dunbar: We Can Only Ever Have 150 Friends At Most - bit.ly/IxwpDJ (Aleks Krotoski)
- Remote Collection with Legal Hold – A Pinteresting Approach to eDiscovery - bit.ly/Jpf4LS (@OrangeLT)
- The Turning Point for Mobile Apps - nyti.ms/HzexHx (Jenna Wortham, Louise Story)

Technology and Tactics

- Access Denied: Legislation Prevents Employers from Demanding Employees' Social Media Passwords – bit.ly/IQDiEO (Alicia Feichtmeir)
- Amazon Web Services Eyes Enterprise Search, Launches CloudSearch - zd.net/Hzd0kD (Larry Dignan)
- Are Employer Social Networking Accounts Protectable Trade Secrets? bit.ly/HGercK (Kara Maciel, Matthew Sorensen)
- Can Source Code Be a 'Stolen Good'? Second Circuit Says No – bit.ly/HQ7gqj (Mark Hamblett)
- Computer Hacking Law Does Not Prohibit Employees from Misusing Data They Are Authorized to Access – bit.ly/HSEBC2 (Allison Carrinski)

- Consumer Activity on Social Media Sites Dwarfs Healthcare Companies, Finds New PwC Study - pwc.to/HUE4MO (PricewaterhouseCoopers)
- Copyright Infringement or Fair Use of Court Records? bit.ly/HG2yeO (Peter Vogel)
- Court: Checking Facebook on Your Work Computer Isn't a Crime - on.wsj.com/Ip9m0a (Joe Palazzolo)
- Cybersecurity Bill FAQ: The Disturbing Privacy Dangers in CISPAs - bit.ly/JwTTaL (Electronic Frontier Foundation)
- Did Apple Rob Your Library? onforb.es/HFZRKa (Ben Kerschberg)
- Does the NLRB 'Like' Your Social Media Policies? bit.ly/HHQxYq (Doreen Davis, Ann Marie Painter)
- Facebook Confidential: How the Craigslist Killer Manhunt Exposed Personal Details of the Innocent - bit.ly/IfuD84 (Anna Brading)
- Hogan Lovells-Authored Opinion Piece Examines Idea of Legally Restricting Sharing on Social Media - <http://bit.ly/HUDQVT> (Hogan Lovells)
- ICANN and Pornographers: Comrades in Arms? bit.ly/IxyGyJ (Douglas Wood)
- InterCloud Records Management - bit.ly/If9ydK (Neil McEvoy)
- It's Time for Smaller Firms to Question BigLaw Technology - bit.ly/IQOfWM (William Caraher)
- Maryland "Facebook Law" Raises New Obstacles For Vetting Applicants And Investigating Employees - bit.ly/ID2oRD (Philip Gordon)
- Microsoft Invests In Open Source Interoperability and Standards - bit.ly/HFP9U0 (Paul Krill)
- No Copyright Infringement but Criminal Charges for Massive Download - bit.ly/HBtSbT (Peter Vogel)
- Recent Ruling May Extend ITC's Reach in Trade Secrets Disputes - bit.ly/If5FWa (Richard Raysman, Peter Brown)
- SSD Opportunity & Threat To Storage Vendors - Network Computing - bit.ly/HBCKhN (Liam Lahey)
- Take Two and Call Me in the Morning: U.S. Hospitals Need An InfoGovernance Remedy - bit.ly/HKURgb (Allison Walton)
- Teacher's Aide Fired for Refusing to Provide Facebook Information - bit.ly/HBDDXo (Tom Crane)
- The Duty to Authenticate Identity: the Online Banking Breach Lawsuits - bit.ly/Ixy78c (David Nevetta)
- The Midmarket Is Ready for Mobile Cloud - bit.ly/IZOXQL (Kim Davis)
- The Three Biggest E.U. Challenges for General Counsel - <http://bit.ly/IJBptu> (Paul Mandell)
- The Trade Politics of Cloud Computing | Slaw - bit.ly/HSEWVI (Jack Newton)
- Understanding and Using Certificates in Exchange 2010 - Part One - bit.ly/IfbXFI - Part Two - bit.ly/HKV2fi (Casper Manes)
- Unmasking Anonymous Internet Speech in New York - bit.ly/Hzga81 (Scott Himes)
- Will Email Create A New Digital Divide in Your Business? bit.ly/HG1Y0A (John Mello)

Vendor Views

Industry Landscape

- Acquire and Administer Immediately: Remote Collection and Legal Hold from OrangeLT™ - bit.ly/IJjzZ (@OrangeLT)
- Aderant to Acquire Omega Legal, Rainmaker Integration Uncertain - bit.ly/IxyteT (Evan Koblentz)
- Albert Barsocchini to Join NightOwl - bit.ly/If9Z7Z (Monica Bay)
- Altep, Inc. Becomes Relativity Premium Hosting Partner - bit.ly/JwWOQJ (Press Release)
- Autonomy Rich Media Management Platform Gives Broadcasters and Marketers Real-Time Insight - on.mktw.net/Jx0h1E (PR Newswire)
- Basis Technology Establishes European Headquarters - bit.ly/If9aMi (Business Wire)
- BeyondRecognition Looks to Improve OCR for Legal Field - bit.ly/IQNxcb (Evan Koblentz)
- CommVault Opens Product Development Center in Bangalore - bit.ly/HzepHZ (Press Release)
- Cynthia Courtney Appointed D4's VP of Discovery Engineering - bit.ly/IxxI5E (Brendan McKenna)
- D4 Names Former CIGNA Counsel to Senior Staff Position - bit.ly/IA1zfZ (PR Web)
- Daegis Named 2012 Network Products Guide Award Finalist - bit.ly/IA3KAf (Press Release)
- Data Migration Industry Expert Dan Clark Joins Globanet Team - yhoo.it/HzWMbd (PR Web)
- DiscoverReady - One Size Doesn't Fit All in Predictive Coding - bit.ly/IUFGuc (Matt Miller)
- eDiscovery Firm TERIS Promotes Meghan Brosnahan to Director of Enterprise Solutions - bit.ly/If84QW (PR Web)

- ESG Analysis (Nuix) – Defensible Deletion Can Save Small Organizations \$1 Million and up to \$20 Million for Enterprises – on.mktw.net/HQ6V7b (Business Wire)
- Global Relay Search App for Android Phones and Tablets Debuted - bit.ly/HG2NGB (PR Web)
- kCura Named Finalist for Illinois Technology Association CityLIGHTS Award - bit.ly/IUJwmY (Press Release)
- Kroll Ontrack to Bring Services Business into New Zealand - bit.ly/JoMY3k (Vera Alves)
- Iris Data Services Hires New Regional Director for Kansas City - bit.ly/JoP835 (PR Web)
- LawCLE Center Honors Recent Graduates of Arkfeld eDiscovery and Digital Evidence Program - bit.ly/If76E6 (PR Web)
- Leading Industry Analyst Firm Includes Email Retention Expert C2C in Case Study - mwne.ws/IA3fWW (PR Web)
- Mimecast's Peter Bauer on Exchange in the Cloud, eDiscovery, and Data Protection - bit.ly/IxuMph (Megan Keller)
- Paragon Legal Technology Support Selects TunnelVision from Mindseye to Power Effective eDiscovery – bit.ly/JwRyN4 (PR Web)
- Perceptive Software Launches Interact Mobile Apps – bit.ly/J0aYic (Rikki Endsley)
- Reed Smith Adds kCura Relativity to Help Power Its eDiscovery Team - bit.ly/HKVvAG (Michael Roach)
- SailPoint on the Forefront of Cloud Identity Management Standards Development - on.mktw.net/J0ch0C (Business Wire)
- Symantec Completes Acquisition of Nukona - bit.ly/HMu7ox (Press Release)
- The DATA Group names Ian Halliday new Vice President, Document Process Management - on.mktw.net/HM0uE1 (PR Newswire)
- The Great eDiscovery Shake-Up – Or Is That Shakeout! bit.ly/HSFcDJ (Charles Christian)
- Thomson Reuters Builds on Westlaw Case Notebook - bit.ly/JwZRZ3 (Sean Doherty)
- Tikit Announces New Partnership with Singapore's Leading Law Firm Technology Provider - bit.ly/JwStx1 (@LegalIT)
- UHY Advisors Partners With Zapproved to Offer Legal Hold Pro to Take Control of Doc Preservation Process – mwne.ws/HCbjnM (Marketwire)
- Wave Software Announces New Product – Trident Expert - bit.ly/IVdirH (Press Release)
- X1 Discovery Announces Cloud-Deployable Capabilities for X1 Rapid Discovery - bit.ly/J7YH6W (Business Wire)
- ZL Technologies – Turning Data Into Actionable Knowledge is Key to Big Data Management [CEO Series] - bit.ly/HLBgQQ (Kristen Nicole)

2012 eDiscovery Events

APRIL

12th Annual Super Conference

April 23 – 24, 2012
Chicago, IL

MAY

2012 World Technology Law Conference & Annual Meeting

May 3 – 4, 2012
Washington, DC

INSIGHT 2012 Law Firm IT – Conference and Exposition

May 8 – 9, 2012
London, UK

EDRM 2012 – 2013 Kickoff Meeting

May 16 – 17, 2012
St. Paul, MN

CEIC 2012

May 21 – 24, 2012
Summerlin, NV

LegalTech West Coast 2012

May 22-23, 2012
Los Angeles, CA

eDiscovery and Digital Evidence Conference

May 23 – 25, 2012
Tempe, AZ

JUNE**ILO Global Counsel Congress**

June 14, 2012
New York, NY

JULY**Carmel Valley eDiscovery Retreat**

July 22 – 24, 2012
Carmel, CA

AUGUST**ILTA Annual Conference 2012**

August 26 – 30, 2012
Washington, DC

SEPTEMBER**Intermountain eDiscovery Conference 2012**

September 13, 2012 (Planning)
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>.