

ComplexDiscovery | Weekly eDiscovery Top Story Digest

October 30, 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.

- 4 Discovery Strategies for Cases Involving Source Code - <http://bit.ly/1c2YqIG> (David Prange, Esam Sharafuddin)
- A Look at Collecting Gmail for Preservation | Ball in your Court - <http://bit.ly/1aSR95p> (Craig Ball)
- Abandoning EDRM Assembly Line: Legal-Regulatory Technology Market Ripe for Change - <http://bit.ly/1c6yBBi> (@DavidHorrigan, @AlanPelzSharpe)
- An eDiscovery Case Study: The Zubulake Case, Conclusion - <http://bit.ly/1bVPpL9> (Jane Gennarelli)
- Can You Get a Default Judgment for Producing TIFFs? <http://bit.ly/1gUwSSL> (Josh Gilliland)
- Court Denies Plaintiff's Request for Native Production, Allows PDFs Instead - <http://bit.ly/1c45LkQ> (Doug Austin)
- Court Orders Wide Ranging Discovery In High Profile Gender Discrimination Class Action - <http://bit.ly/16knOVt> (Seyfarth Shaw)
- Court: Preliminary Showing of Spoliation Required Before Discovery of Documentary Preservation Efforts Permitted - <http://bit.ly/1igzbxP> (Brett Anders)
- Discovery Evolutions Hold Promise For Greater Privacy Benefits For Litigants - <http://bit.ly/HntPWH> (Matthew Lynch)
- eDiscovery and the Zamundan Royal Bottom Wipers | Ball in your Court - <http://bit.ly/16kmySq> (Craig Ball)
- E-Discovery: Relieving The Burdens Of Preservation | The Metropolitan Corporate Counsel - <http://bit.ly/16kmVwh> (Brian Pandya)

- eDiscovery Rules By State – An Interactive Map - <http://bit.ly/1azubjO> (Winston and Strawn)
- Five Tips for Managing Social Media and E-Discovery Collections - <http://bit.ly/1c4176v> (David Roffman, David Freskos)
- Flying Under the Radar: Proposed International eDiscovery Standard - <http://bit.ly/1alBrmK> (Matt Nelson)
- Foreign Privacy Laws Only Protect Data if Harm Can Be Proven - <http://bit.ly/1aq7Vwa> (Mike Hamilton)
- Is Apple’s iMessage Encryption Really Unbreakable? In a Word, No. - <http://bit.ly/1iis3ks> (@SharonNelsonEsq)
- Is EDRM a Jack-of-All-Trades and Master of None? <http://bit.ly/Hj9Zf1> (@DavidHorriagan)
- Is it Time for Human Analytics in Document Review? <http://bit.ly/1gKkpSa> (Barry Wiggins)
- Is TAR Fight For Your Next Case? - <http://bit.ly/1aAcqUZ> (David Carns)
- Lawyer-Client Email Held Privileged Despite Its Release to a Third Party - <http://bit.ly/HlyTLb> (David Gialanella)
- My Basic Plan for Document Reviews: The “Bottom Line Driven” Approach – Part Four - <http://bit.ly/1apV5uc> (@RalphLosey)
- New Mass. eDiscovery Rules Could Change Firms’ Data Policies - <http://bit.ly/HdCwTm> (Mary Moore)
- October Edition of Notable Cases and Events in E-Discovery (PDF) <http://bit.ly/1ir6MFm> (Sidley Austin)
- Over-Preservation, “Willful” Activity, Proportionality: Amendments To FRCP Address Many Issues - <http://bit.ly/HeFmr2> (Amanda Vrecenak)
- Plaintiff’s Email Allegedly Hacked By Employer; Many Issues Arise - <http://bit.ly/1aq6TAg> (Carter McMillian)
- Proposed Rules Address The Costs And Burdens Of Modern Discovery Practice - <http://bit.ly/1aAoFAO> (Marc Williams)
- Seeking eDiscovery Salvation in the Cloud - <http://bit.ly/HhNE0o> (Sue Reisinger)
- Slides from ‘TAR for the Real World: Practical Problems, Pragmatic Solutions’ – <http://bit.ly/1iit5Nn> (@BobAmbrogi)
- Social Media E-Discovery: Keeping On and Keeping Up - <http://bit.ly/1alDW8z> (@LegalTalkNet)
- Technology Assisted Review in the Age of Big Data - <http://bit.ly/1igEu0e> (@TheLawyerMag)
- The Impact of Digital Age Innovations on the Attorney-Client Privilege - <http://bit.ly/1iiuqE5> (@PhilipFavro)
- Third Circuit Says GPS Trackers Require a Probable Cause Warrant - <http://bit.ly/Hr8BpU> (@SharonNelsonEsq)
- Three Online On-Demand Webinars on Computer-Assisted Review - <http://bit.ly/1iou3I0> (Herb Roitblat)
- Treat Not Trick: 21 Months of Predictive Coding Coverage | October ’13 Update - <http://bit.ly/177MNe1> (@ComplexD)
- Trial: The Forgotten Phase of Litigation After Discovery - <http://bit.ly/19YTz5w> (Philip Favro)
- Use of Model Order Doesn’t Avoid Discovery Disputes - <http://bit.ly/HeFQxy> (Doug Austin)
- Using EXIF GPS Information from a Camera in eDiscovery - <http://bit.ly/1c6CtCh> (@ChrisDaleOxford)
- What is “Reduping?” eDiscovery Explained - <http://bit.ly/1aAqPAI> (Doug Austin)
- What’s the Impact of Big Data on eDiscovery? <http://bit.ly/HeDVZT> (@Dean_Gonsowski)
- Where Do I Start? An Abridged Overview of eDiscovery Resources - <http://bit.ly/1a77UNf> (@ComplexD)
- You Love it, You Hate it. Now You Have to Live With it: eDiscovery - <http://bit.ly/1aH2IFC> (William Mitchell College of Law)
- Your Request for Spoliation Sanctions Could Get You Sanctioned - <http://bit.ly/19QXwJF> (Jonathan Forman)



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.

- 20 Compliance Questions for the Chief Executive Officer - <http://bit.ly/19TeLYL> (Michael Volkov)
- 2013 Chief Legal Officer Survey (PDF) <http://bit.ly/1bZS2vm> (Altman Weil)

- Anti-Corruption and the Hallmarks of an Effective Compliance Program: Part Two - <http://bit.ly/1c45crs> (Scott Moritz)
- Case Addresses Intersection Between Whistleblower's Rights And Protecting Confidential Information - <http://bit.ly/HeFerO> (David Restaino)
- Communicating Investor Information Via Social Media presents New Challenges for Companies - <http://bit.ly/1aqtooC> (Chris Dimarco)
- Corporate Counsel's Guide To Compliance - <http://bit.ly/1aq98n2> (Frank Reddick)
- Crowdsourcing Legal Information: Fad or Change Agent? <http://bit.ly/HeEX81> (David Whelan)
- Data Protection And Privacy Laws In India - <http://bit.ly/1aAp5XV> (Mukesh Advani)
- Europe Moves to Put Online Data Beyond U.S. Reach - <http://bit.ly/19SUSRK> (Gregory Bufithis, Catarina Conti)
- European Parliament Calls for Suspension of the SWIFT Agreement following NSA Surveillance Claims - <http://bit.ly/Hk1C34> (Helena Marttila)
- Firing (or Not Firing) Employees Who Blog About Work - <http://bit.ly/19I7ZoI> (Angela Hunt)
- Five Ways to Become More Data-Centric - <http://bit.ly/HeBTJ2> (Neil Amato)
- Fraud Report Finds Corporate Corruption on the Rise - <http://bit.ly/1c6E5vU> (Sue Reisinger)
- Guidance for Boards of Public Company M&A Targets - <http://bit.ly/19YRLtp> (Robert Little, Jeff Henderson)
- How Well Do Boards of Directors Understand Legal Risk? <http://bit.ly/1aRyDum> (Angela Hunt)
- In Today's World, Companies Face Large Exposure from a Wide Variety of Possible Data Breaches – <http://bit.ly/1aFicEB> (Luis Diaz)
- In-House Counsel Get Real About Outside Firm Value - <http://bit.ly/1ccUUVP> (Rebekah Mintzer)
- Inside: An Overview of Non-Compete Agreements - <http://bit.ly/1aCc6F3> (Lawrence Carnevale, Jeffrey Boxer)
- Inside, Outside Or Outsource? Finding The Right Balance – A Survey Of Nearly 600 Corporate Counsel - <http://bit.ly/1aAphpW> (Eric Laughlin)
- Justices Add Tech Savviness to Professional Responsibility - <http://bit.ly/1ir6370> (Max Mitchell)
- Law Departments Trading Large Firms for 'Large Enough' - <http://bit.ly/HeC9rD> (Rebekah Mintzer)
- Litigation: Preserving Privileges When Affiliated Corporations Share Counsel - <http://bit.ly/1igAWez> (Richard Kapnick, Courtney Rosen)
- Mixed Reviews for Social Media from Compliance Pros - <http://bit.ly/1aAny49> (Julie DiMauro)
- New California Laws Restrict Discretion Employers Have to Inquire Into and Use Criminal Record Information – <http://bit.ly/HhYrsD> (Littler)
- Pharma Companies Must Rethink Marketing Strategies Under the Sunshine Act - <http://bit.ly/1a72ORe> (Joy Taylor)
- Preliminary Cybersecurity Framework Released in Furtherance of President Obama's Executive Order - <http://bit.ly/1aPrAIS> (Luis Diaz)
- Proposed Amendment to EU Privacy Regulations May Force Choice Between Violating US and EU Law - <http://bit.ly/1iioZ85> (Gerald Ferguson, Alan Pate)
- Proposed EU Data Protection Regulation – <http://bit.ly/1aDS4u3> (Marlisse Silver Sweeney)
- Recovering Trial Technology Costs - <http://bit.ly/16Yicij> (Nastaha Sagar Sheth)
- Social Media's Threat to the Jury System - <http://bit.ly/HlyMPM> (Richard Dollinger)
- Technology Enablement Strikes a Chord with Hard-pressed IP Professionals - <http://bit.ly/H9OIsP> (Jayne Durden, Kurt Wedel)
- The Escalating Pace of Privacy Protection Laws and Regulations – <http://bit.ly/1ir6AWO> (Stephen Treglia)
- The Need to Update Noncompetes, and the Legal and Practical Issues Associated With Doing So - <http://bit.ly/18M9NxB> (Bernard Bobber)
- The New Lawsuit Ecosystem: Trends, Targets and Players - <http://bit.ly/HeCmuY> (Institute for Legal Reform)
- The Perils of Keeping FCPA Infractions Under Wraps - <http://bit.ly/1aRy9EA> (Andrew Ramonas)
- Technology: Are there Clouds on your Board's Radar? <http://bit.ly/1iwtb2> (Janet Stiven)
- US Government Releases Draft Cybersecurity Framework - <http://bit.ly/1igzoRG> (Rebekah Mintzer)
- Watch the Gap: Steps to Avoiding Cyber Risk - <http://bit.ly/1aCckfj> (Judy Selby)
- Updating the Statutory Framework for Communications for the Digital Age - <http://bit.ly/1bVSNpr> (Charles Goldfarb)
- "Yes, It's Legal." But Is It a Good Idea? | Connecticut Employment Law Blog - <http://bit.ly/1ir76nq> (Daniel Schwartz)



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.

- AccessData Group Honored at the 19th Annual MWCN Utah 100 - <http://bit.ly/1c1krBv>(Press Release)
- ARMA International Expo: A Study in eDiscovery - <http://bit.ly/1iqWdCl> (Sean Doherty)
- A New Website - eDJ Group Puts a New Face on a New Website - <http://bit.ly/1aAewUO> (Sean Doherty)
- A New Website – OrcaTec | Smarter Technology - <http://bit.ly/1aERGLR> (@OrcaTec)
- Cloud-based App Suite Takes Aim At E-discovery Speed and Cost - <http://bit.ly/1iqVYqT> (Stephanie Lawson)
- Codero Launches Industry-First On-Demand Hybrid Cloud | @SiliconANGLE - <http://bit.ly/1iisyLB> (John Casaretto)
- CommVault Helps Clean Up Corporate Data - <http://bit.ly/Hj5Yr6> (Angela Hunt)
- Craig Freeman Joins Navigant as Global Leader for Legal Technology Solutions Team - <http://on.wsj.com/HoPQUW> (Wall Street Journal)
- Deloitte Launches Deloitte Diligence: A New Tool to Combat Fraud and Corruption - <http://bit.ly/Hr8Scr> (Press Release)
- Discovia Launches PartnerView eDiscovery Portal at ACC Annual Meeting - <http://bit.ly/1ak0Mxn> (PR Newsire)
- doeLEGAL Signs Expert Litigation Attorney to doeDiscovery Team - <http://bit.ly/1aGxwxt> (PR Web)
- E-Discovery: We Completely Customize Our Services Around You, The Client.” <http://bit.ly/1aEVPz6> (@TrustPointIntl)
- EDRM Transitions to Non-Profit Status - <http://bit.ly/H5ogeP> (George Socha)
- Epiq Systems Announces Third Quarter 2013 Results Led by 49% Growth in eDiscovery Operating Revenue - <http://bit.ly/1aDWRL0> (Seeking Alpha)
- Epiq Systems Expands Global Operations with New Document Review Center in Toronto, Canada - <http://bit.ly/1ifJEcV> (@LegalIT)
- Equivio helps send Squire Sanders to the Information Week 500 list of Top Technology Innovators - <http://bit.ly/1iorYvI> (@ChrisDaleOxford)
- Exterro Fusion Adds In-Place Preservation to Reduce ESI Spoliation Risks and Collection Costs - <http://yhoo.it/16E9vve> (@MarketWired)
- Exterro Launches Preservation Plug-In at ARMA Conference – <http://bit.ly/1aE1Jk8> (@VictorLi_ALM)
- Finalist KMWorld 2013 Promise Award: @kCura - <http://bit.ly/1ir19qB> (@KMWorldMagazine)
- Gimmel Extends SharePoint Governance to Address Existing & Legacy SharePoint Sites and Content - <http://bit.ly/HluHeh> (PR Web)
- Global EDD Group Expands International E-Discovery Services With Global Discovery Network - <http://bit.ly/16E8eUN> (Press Release)
- Guidance on E-Discovery: Data Privacy, Cross-Border E-Discovery, and the Hybrid Solution - <http://bit.ly/1aq92f7> (Chris Kruse)
- HP Hits the Autonomy Comeback Trail - <http://bit.ly/1aoRTmd> (Mike Vizard)
- Huron Consulting Group Announces Third Quarter 2013 Earnings Release and Webcast - <http://bit.ly/1aAos0u> (Press Release)
- Inventus Solutions Acquires Multiple Teris Offices – The Business Journals - <http://bit.ly/Hi1MIa> (PR Newswire)
- Kroll Ontrack Tackles Growing Data Volumes and Review Costs With the eDiscovery{dot}com Review - <http://bit.ly/HoOj1g> (Business Wire)
- [KrollOntrack](http://bit.ly/Hj68ji) Uses Legos to Seal \$600,000 Contract – Minneapolis / St. Paul Business Journal - <http://bit.ly/Hj68ji> (Katharine Grayson)
- ILTA’s Panels at ARMA Conference Focus on Privacy, Security, Information Governance and the Future - <http://bit.ly/1c6y0zB> (@VictorLi_ALM)
- Inc. Magazine Names Advanced Discovery to Annual List of America’s Fastest-Growing Private Companies - <http://bit.ly/1aEL9k6> (PR Web)

- Informatica Data Archive to Integrate with Exterro Fusion e-Discovery Software Suite - <http://on.wsj.com/1ir6y0Q> (Press Release)
- Iron Mountain Joins Forces with Paragon Solutions, Adding Services for Managing Electronic Records - <http://on.mktw.net/16Ea15H> (Business Wire)
- Jackson Reforms Shaping Litigation and e-Discovery Strategy, says Aamir Khan from Clutch Group - <http://bit.ly/1aDVCfM> (PR Web)
- Lex Machina Uses Big Data, Legal Analytics Tools to Help IP Attorneys - <http://bit.ly/1aELrrb> (Rich Steeves)
- LexisNexis to Cut 205 Positions Nationally - <http://bit.ly/16wDaq6> (Thomas Gnau) Microsoft and @Integreon Team Up for Legal Outsourcing - <http://bit.ly/1aDRL2j> (Rebekah Mintzer)
- Merrill Corporation Becomes a Relativity® Premium Hosting Partner in the United Kingdom (U.K.) - <http://bit.ly/HhVEiZ> (Press Release)
- Mindseye and Content Analyst Publish New Information Governance Report - <http://bit.ly/1aEKMWV> (PR Web)
- New San Francisco Forum Promotes eDiscovery Mediation - <http://bit.ly/1ab21wX> (Patrick Kutza)
- Preliminary IG Survey Results Show Funding For Projects, But... - eDiscovery Journal - <http://bit.ly/1ccPFFT> (Barry Murphy)
- Raising Your Game – Casey Flaherty’s Technology Competency Audit and Neota Logic – <http://bit.ly/1aAdcRF> (@ChrisDaleOxford)
- RSD and Exterro Partner to Deliver Integrated Information Governance and E-Discovery Platform - <http://bit.ly/1aERxYD> (PR Web)
- RSD Announces 10 Minute Information Governance Solution - <http://bit.ly/1ioslXf> (PR Web)
- Tech Circuit: Vegas, Baby! Edition - <http://bit.ly/1aDRTPn> (Monica Bay)
- The Use of Analytics During a Review Saved \$1.3 Million - <http://bit.ly/Hr6Wk9> (PR Web)
- Tips to Identifying the Right DCIG Storage Array Buyer’s Guide - <http://bit.ly/1c45G0I> (Jerome Wendt)
- UBIC Hires Sasha L. Heffler as Senior Director of Strategy & Communications – MarketWatch - <http://on.mktw.net/Hk0BIId> (PR Web)
- UBIC, Inc. to Announce Second Quarter Ended September 30, 2013 Financial Results - <http://on.wsj.com/1aEKBuF> (Press Release)
- Ways to Achieve Data Compliance in 2014: #3 Audit and Secure PII Data - <http://bit.ly/1iirFT8> (@IndexEngines)
- What is a Reasonable eDiscovery Vendor Fee? <http://bit.ly/1aEbEGj> (Kelsey Kaufman)



Industry Conferences, Events and Meetings

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

OCTOBER

ACC 2013 Annual Meeting

October 27-30, 2013

Los Angeles, CA

[Click here for more information.](#)

ARMA Live 2013

October 28-30, 2013

Las Vegas, NV

[Click here for more information.](#)

NOVEMBER

KMWorld 2013

November 6-8, 2013

Washington, DC

[Click here for more information.](#)

2013 Technology in the Law Symposium

November 13, 2013

Washington, DC

[Click here for more information.](#)

2013 eDiscovery Leadership Conference

November 15, 2013

Hollywood, FL

[Click here for more information.](#)

The Advanced eDiscovery Institute

November 21-22, 2013

Washington, DC

[Click here for more information.](#)

DECEMBER**Governance, Risk & Compliance 2013**

December 4-5, 2013

Orlando, FL

[Click here for more information.](#)

ESI Roundtable – eDiscovery Case Law Update (CLE)

December 6, 2013

Atlanta, GA

[Click here for more information.](#)

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

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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