

Unfiltered Orange | Weekly eDiscovery News Update – April 10, 2013

Recognized nationally in [Forbes' Law and Technology Blog](#) as a leading source of trusted eDiscovery information, Orange Legal Technologies' [Unfiltered Orange](#) newsletter is published weekly to provide legal and technology professionals with current and relevant news and views related to the discipline of eDiscovery. With content ranging from legislation to lessons, from compliance to considerations and from social media to sanctions, [Unfiltered Orange](#) is your weekly best source for keeping up-to-date with all things eDiscovery.

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eDiscovery Updates

Considerations

- *Considerations* Access to Server Data for Foreign Criminal Investigative Purposes - <http://bit.ly/XZPVzO> (Martin Kratz)
- Another Court Outlaws “Fishing Expeditions” In Social Media eDiscovery – [@ITLexOrg](#) - <http://bit.ly/10PbO7T> (Karina Saranovic)
- Authentication of Facebook Messages through Circumstantial Evidence - <http://bit.ly/17mDkxI> (Gregory Joseph)
- Availability of Clawback Order Thwarts Claim of Undue Burden Based on Cost to Review - <http://bit.ly/YTsdIY> (K&L Gates)
- Borg Challenge: Part One of My Experimental Review of 699,082 Enron Documents - <http://bit.ly/17mF4XH> ([@RalphLosey](#))
- Busted! How Happy Accidents Thwart Data Thieves - <http://bit.ly/XZFgFp> (Craig Ball)
- Can You Be A Competent Attorney Without Keeping Pace With Relevant Technology? <http://bit.ly/Y0yAqs> (Christine Soares)
- Court Says Scanning Documents to TIFF and Loading into Database is Taxable - <http://bit.ly/YXflmd> (Doug Austin)
- Don't Forget About eDiscovery When Moving To The Cloud - Technology Law Source - <http://bit.ly/10PLM4D> (Jay Yurkiw)
- E-discovery: Understanding How To Manage ESI Can Save Money - <http://bit.ly/15QeZN3> (Franklin Zemel, Brett Duker)
- Eight Tips to Quash the Cost of eDiscovery – eDiscovery Best Practices - <http://bit.ly/10WFxNc> (Doug Austin)
- Facebook Account Deactivation Leads To “Spoliation Instruction” - <http://bit.ly/YQVoZX> (Jay Yurkiw)
- Falling Off The Cliff: Parties Are Still Failing The Proportionality Test - [@PhilipFavro](http://bit.ly/XZNSWh)
- Four Threats to Confidential Data on Mobile Devices - <http://bit.ly/14xPwfx> (Steve Fletcher)
- I Tell Ya, Information Governance Gets No Respect – eDiscovery Trends - <http://bit.ly/YUSuqm> (Doug Austin)
- Is it Time to Ditch the Per Hour Model for Document Review? – eDiscovery Trends – <http://bit.ly/12EcUUU> (Doug Austin)
- Judge Explains Difference Between Tweeting from Courtroom and Blogging from Courtroom - [@BobAmbrogi](http://bit.ly/15TQJK0)
- Managing eDisclosure Under the New U.K. CPR Amendments: What Your Law Department Should Expect - <http://bit.ly/V1t1HH> (Rachel Teisch)
- Managing The Risks And Costs Of Text Messaging - <http://bit.ly/XXBHPT> (Anthony Diana, Catherine Bernard, Terese Craparo)

- Mandating Use of Predictive Coding in Electronic Discovery: An Ill-Advised Judicial Intrusion - <http://bit.ly/17jytNJ> (Tonia Murphy)
- Mass Deletion of Data' on Former BoC Execs' Computers – Cyprus Mail - <http://bit.ly/17hvp16> (George Psyllides)
- New Jersey Poised to Enact the Most Aggressive Social Media Password Protection Law to Date - <http://bit.ly/XXFYTq> (Philip Gordon)
- New Research Reveals Information Governance Gets No Respect - <http://bit.ly/113sREz> (Sean Doherty)
- Ninth Circuit: Mobile Providers Are Not Illegal File-Sharing Networks – [@ITLexOrg](http://ITLexOrg) - <http://bit.ly/10LKgiO> (Joey Chindamo)
- “Persnickety, Persistent” Questions: The Stored Communications Act - eDiscovery Law Alert - <http://bit.ly/11hagF6> (Paul Asfendis)
- Photogrammetry for the Win!... If You Know What It Does - <http://bit.ly/17nnZNi> (eLessons Learned)
- Predictions on Predictive Coding - <http://bit.ly/11dJyC> (Robert Byman)
- Preservation of Social Media: An Ongoing Challenge for Legal Teams – [@eDiscoveryBeat](http://eDiscoveryBeat) - <http://bit.ly/Y2GPCA> (Mike Hamilton)
- Privilege Issues Arising in Prosecutions, Investigations – <http://bit.ly/17mIdqi> (Joseph Martini, Robert Hoff)
- Privileged Communications Have to Actually be Privileged to be Immune - <http://bit.ly/11dKsJZ> (Chrissy Caputo)
- Redefining The Law Firm Delivery Model - <http://bit.ly/YXdL2B> (@MarkRossLPO)
- Reminder: “Unfettered Access” To ESI Is Frowned Upon – [@ITLexOrg](http://ITLexOrg) - <http://bit.ly/YT9k8R> (Shannon Allen)
- Sampling and eDiscovery with Herb Roitblat (Series of Posts) - <http://bit.ly/y4DCOK> (@OrangeLT)
- Six Big eDiscovery Blunders - <http://bit.ly/10L1ON9> (Bill Hamilton)
- Spring Breaking: eDiscovery Style - <http://bit.ly/XY4fZy> (@WMDrewLewis)
- The Intersection of GRC, Cyber-Security & Legal: How to Triple Your ROI in eDiscovery Technology - <http://bit.ly/10WFLUO> (Devin Krugly)
- There Can Be No Justice Without Truth, And No Truth Without Search - [@RalphLosey](http://bit.ly/11dLhT8)
- Waiver of Attorney-Client Privilege by Inadequate Privilege Log - <http://bit.ly/10B1Oit> (Gregory Joseph)
- When Do You Buy T-Shirts? | Ball in your Court - <http://bit.ly/15VSp5C> (Craig Ball)
- Working with eDiscovery Vendors - <http://bit.ly/17hMKun> (Louis Dorny)

Levity



Risk

- 5 Privacy and Data Security Measures That Can Protect Your Company Against Trade Secret Theft - <http://bit.ly/Y2HqnL> (Lindsey Tonsager)
- 5 Strategies To Prevent Runaway Legal Fees When Being Billed Hourly - <http://bit.ly/17otfQI> (Mark Diamond)
- A Step in the Right Direction for SEP Litigation - <http://bit.ly/17mCVLq> (Marylee Robinson)
- Accounting Fraud Not Just for Public Companies Anymore - <http://bit.ly/YUKYvy> (David Smyth)
- Antitrust Implications of Health Care Provider Consolidation - <http://bit.ly/17mD9SM> (Matthew Cantor, Daniel Vitelli)
- CNIL Satisfied with Draft European Parliament Report on the New Data Protection Regulation – <http://bit.ly/17noabq> (Daniel Kadar)
- Compliance vs. Ethics in Internal Investigations - <http://bit.ly/Y0yWxj> (James McGrath)
- Feeling Cyber-Secure: Avoiding The Devastating Hacker : Social Media Employment Law Blog - <http://bit.ly/10L2ZMA> (Michael Schmidt)
- Financial Correlation of Privacy Rights | @InfoLawGroup – <http://bit.ly/17mGLnV> (Paul Paray)
- FireMe! Website Warns Twitter Users about Tweets that may get them Fired – <http://bit.ly/XY78tv> (Shane Todd)
- Law Firms and Overcharging: The System Itself Is Rotten – @Forbes - <http://onforb.es/Y0JGMg> (Mark Harris)
- Minimizing FCPA Risks for the Modern Gaming Industry - <http://bit.ly/10L3ZA4> (Carlos Ortiz, Valerie Charles)
- New European Unitary Patent and Unified Patent Court are on the Horizon : Technology Law Source – <http://bit.ly/Y03cIG> (Anne Pellot)
- NIST Kicks Off Cybersecurity Framework Development - <http://bit.ly/XZK1yQ> (Hogan Lovells)
- No Uptick in FDA Action after Social Media Guidelines – Report - <http://bit.ly/17mH95N> (Adam Kerlin)
- Principles of Holistic Information Governance - <http://bit.ly/17oq8bt> (Christian Walker)
- Regulation FD in the Social Media World: The Old Rules Still Apply to the New Technology - <http://bit.ly/10MFWRq> (Crowell & Moring)
- SDNY Examines Whether News Clipping Service Qualifies as Fair Use Under Copyright Act - <http://bit.ly/XY6s7s> (Daniel Zlatnik)
- SEC Releases Final Settlement Order with Philips - <http://bit.ly/11POE2H> (Richard Cassin)
- SEC Responds to Rule 15a-6 and Foreign Broker-Dealer FAQs - <http://hvr.me/Y2HJ1Y> (Russell Sacks)
- SEC Says Social Media OK for Company Announcements if Investors Are Alerted - <http://1.usa.gov/XXADeW> (US SEC)
- Twitter: Employee Who Complained about Sexual Harassment via Twitter Fired – Employment Matters Blog – <http://bit.ly/10PctpX> (Martha Zackin)
- Universal Coverage, Universal Challenges - <http://bit.ly/17noXsI> (Kathleen Aller)
- Warning to In-house Counsel: Be Careful When Responding to Demand Letters - <http://bit.ly/10KYpxQ> (Jerrold Wohlgemuth)
- Will Investors “Like” the New SEC Social Media Ruling? | BLLAWG - <http://bit.ly/10DuyXV> (Anna Biblowitz)

Resources

- Big Just Got Bigger (PDF) <http://bit.ly/ZKRQrx> (Grail Research)
- Bingham E-Discovery News – April 2013 (PDF) <http://bit.ly/YTbp4L> (Bingham)
- Dow Jones Risk & Compliance Survey - <http://bit.ly/17mEUQ0> (FCPA Blog)
- FireEye Advanced Threat Report – 2H 2012 (PDF) <http://bit.ly/YUMrC7> (FireEye)
- Proposed New EU General Data Protection Regulation (PDF) - <http://bit.ly/14v1RkB> (UK Information Commission Office)
- Seventy-Four From Two: A Listing of Vendors from Two Recent eDisclosure / eDiscovery Industry Reports - <http://bit.ly/17j4xkJ> (@ComplexD)
- Statistics Resources and Big Data on the Internet 2013 - <http://bit.ly/YYSGSk> (Marcus Zillman)
- Updated: The Sedona Conference Commentary on Proportionality – January 2013 Edition - <http://bit.ly/17iQv2u> (The Sedona Conference)

Senses

- Cartoon: Electronic Insecurity? <http://bit.ly/14v6eMl> (@OrangeLT)
- Presentation: From Ethics to eDiscovery - <http://bit.ly/YUTx9G> (Tom O'Connor)
- Video: Adam Losey on Tech Trends for Corporate Counsel - <http://bit.ly/XY3W0R> (Monica Bay)
- Video: How Good Is Your Predictive Coding Poker Face? (Video Series – Part One) <http://bit.ly/Y0U86j> (Matthew Nelson)
- Video: SharePoint eDiscovery: Ten Times the Cost - <http://bit.ly/YSHhX2> (John @Patzakis)

Technologies

- 5 Ways To Avoid Costly Cloud Surprises - <http://ubm.io/10PaDFK> (Charles Babcock)
- Daily Report: Google's Eroding Lead in Web Search - <http://nyti.ms/YUNfXF> (The New York Times)
- Digital Media Re-Sales Over Internet Require Rights Holders' Permission, Rules US Court – <http://bit.ly/YURCSn> (Pinsent Masons)
- Email Is Not Free - <http://bit.ly/17nnX82> (Tom Cochran)
- Gmail's New Compose: 5 Pros and Cons - <http://ubm.io/11h6TxI> (Debra Dontston-Miller)
- Facebook Home Ratchets Up Competition With Google – @Forbes - <http://onforb.es/YXcDvJ> (Tomio Geron)
- First Cell Phone Call: Excerpt from “Networked: New Social Operating System” | Pew Research Center - <http://bit.ly/YUN3rp> (Joanna Brenner)
- Total Domain Names Pass 252 Million Worldwide – <http://bit.ly/10MAmyC> (CircleD)
- Troubleshooting Outlook (and more!) with OffCAT - <http://bit.ly/YUT0og> (Casper Manes)
- Why You Need to Take Email Security Seriously - <http://bit.ly/YO8bMS> (Jeff Orloff)

2013 Events

APRIL

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.](#)

LawTech Futures

April 30, 2013
London, UK

[Click here for more information.](#)

MAY

Information Governance & eDiscovery Strategy Exchange

May 5-7, 2013
San Diego, CA

[Click here for more information.](#)

EDRM 2013-14 Kickoff Meeting

May 7-9, 2013
St. Paul, MN

[Click here for more information.](#)

CEIC 2013

May 19 – 22, 2013

Orlando, FL

[Click here for more information.](#)

LegalTech West Coast

May 21-22, 2013

Los Angeles, CA

[Click here for more information.](#)

AUGUST

ILTA 2013 Annual Conference

August 18-22, 2013

Las Vegas, NV

[Click here for more information.](#)

SEPTEMBER



Fifth Annual Intermountain eDiscovery Conference – 2013

September 26, 2013

Salt Lake City, UT

[Click here for more information.](#)

OCTOBER

EDRM 2013-2014 Midyear Meeting

October 9-11, 2013

Saint Paul, MN

[Click here for more information.](#)

Innovate

October 17-18, 2013

Orlando, FL

[Click here for more information.](#)

LawTech Europe Congress 2013

October 21 – 22, 2013

Prague, Czech Republic

[Click here for more information.](#)

ACC 2013 Annual Meeting

October 27-30, 2013

Los Angeles, CA

[Click here for more information.](#)

For Complete Events Calendar Visit – [Click here.](#)



About Orange Legal Technologies

OrangeLT™ is a leading provider of electronic discovery litigation, audit, and investigation technology and services for law firms and corporations. Having served over 1,000 clients since inception and with over 250 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 technology and 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.

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