

# Unfiltered Orange |

## Weekly eDiscovery News Update – November 21, 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.

To receive the weekly update, sign up at: <http://bit.ly/y6y0DW>.

For up to the minute news updates, visit OrangeLT on Twitter, Google+, LinkedIn, Pinterest, or RSS. (<http://www.orangelt.com>)



### eDiscovery News

#### Content and Considerations

- A Bit Off the Mark on Autonomy – <http://bit.ly/WtSMUW> (Craig Ball)
- A Model for eDiscovery Legal Practice Workflow and Best Practices - <http://bit.ly/WoSy1i> (Ralph Losey)
- Court Orders Sanctions Against U.S. Attorney's Office in NJ for Failing to Preserve Text Messages – <http://bit.ly/UIBYDN> (Kathy Trawinski)
- Cloud Providers and the Fog of War – <http://bit.ly/UGYn4y> (Greg Buckles)
- Court Considers Offer And Acceptance In The Age Of Email - <http://bit.ly/Wt0Gy4> (@ITLexOrg)
- Court Finds Social Media, Emails And Texts Discoverable; Employs Special Master To Sift Through Everything – <http://bit.ly/XIUNgm> (@ITLexOrg)
- Court Orders Sanctions Against U.S. Attorney's Office in NJ for Failing to Preserve Text Messages – <http://bit.ly/UIBYDN> (Kathy Trawinski)
- Delaware Court: Surprise! You Will Now Use Predictive Coding – <http://bit.ly/TTbaSP> (Pooja Nair)
- Directions to an eDiscovery Solution: Left on Premises, Right on Cloud – <http://bit.ly/UKoh7p> (Daniel Lim)
- eDiscovery's Tipping Point: In or Out? – <http://bit.ly/Wp3vjG> (Gina Passarella)
- eDiscovery Sanctions and Federal Rule 37(e): It's All about Defensibility – <http://bit.ly/U848tv> (Linda Sharp)
- Finding a Safe Harbor: Defensible Deletion and Federal Rule 37(e) – <http://bit.ly/XIdL6S> (Philip Favro, Dean Gonsowski)
- Five Case Studies of Social Media Evidence in Criminal Investigations - <http://bit.ly/XMQMrb> (John Patzakakis)
- For Failure to Preserve, Court Orders Production of Privileged Documents and Work-Product – <http://bit.ly/UKY0G2> (K&L Gates)
- How to Ask for Social Media Evidence—and Get It – <http://bit.ly/XFVQxK> (Rachel Teisch)
- Law Firm eDiscovery Reaches Crossroad – <http://bit.ly/UI73aM> (Gina Passarella)
- Lawyers Talking About System Security – <http://bit.ly/XK3W8t> (Kate Paslin)
- Louisiana Order Dictates That the Parties Cooperate on Technology Assisted Review – <http://bit.ly/Wpk8M8> (Doug Austin)
- Part Two: Like it or Not, Predictive Coding is Here and Judges Want you to Use it – <http://bit.ly/UK6f5m> (Cat Casey)
- Prosecuting Offensive Tweets – Should The Number of Followers Matter? — Slaw <http://bit.ly/XPobS6> (John Gregory)
- Q&A With Predictive Coding Guru, Maura R. Grossman, Esq. – <http://bit.ly/UGbkM3> (Matthew Nelson)
- Rule#1 Never Put Anything in an eMail (or Text) You Would Not a Jury to See – <http://bit.ly/UKA99F> (Peter Vogel)

- Skyping with The Confrontation Clause – <http://bit.ly/UPqaja> (Josh Gilliland)
- Small Firm eDiscovery – Beating the Data Dump – <http://bit.ly/U9wm7o> (Jason Krause)
- ‘Test the Rest’: Sampling for eDiscovery Quality Control – <http://bit.ly/XIdOja> (Chuck Kelner)
- The eDiscovery Implications Of The Cloud – <http://bit.ly/XNv46w> (Chris Dale, Patrick Burke)
- The NHCAA, Jackson Pollock, and Predictive Coding – <http://bit.ly/WqEJzz> (Kathleen Aller)
- The ROI of Predictive Coding – <http://bit.ly/XK2XFl> (Bill Tolson)
- Unretained Expert Disclosure vs. Retained Expert Report: Who Bears Burden of Proof as to Requirement – <http://bit.ly/UEvZQA> (Gregory Joseph)
- US District Judge Carter Rejects Recusal of Peck in Hot Predictive Coding Case – <http://bit.ly/XJ0LxM> (ACEDS)
- What Abraham Lincoln Teaches about Defensible Deletion of ESI – <http://bit.ly/UPpOcz> (Philip Favro)

### *Reports and Resources*

- DOJ and SEC Release ‘Unprecedented’ Joint FCPA Guidance – <http://bit.ly/UI61eZ> (Richard Cassin)
- Federal Laws Relating to Cybersecurity: Discussion of Proposed Revisions (PDF) <http://bit.ly/WoPkuS> (Eric Fischer)
- Privacy: An Overview of the Electronic Communications Privacy Act (PDF) – <http://bit.ly/XLCib2> (Chris Doyle)

### *Sight and Sound*

- Are you the Turkey this Thanksgiving? <http://bit.ly/UgAX7I> (@OrangeLT)

### *Technology and Tactics*

- 4 Social Factors That Drive IT Buying Decisions – <http://bit.ly/UJfxys> (Deb Donston)
- \$250m Text Spamming Case Against Papa John’s Allowed To Proceed – <http://bit.ly/XK2Rxx> (@ITLexOrg)
- As CIA Chief Scandal Looms, Lawmakers Consider Tightening E-Mail Privacy – <http://bit.ly/UQUr16> <http://bit.ly/XZ0XJo> (David Kravets)
- Controlling the Smog of Information Sprawl – <http://bit.ly/WsZRVS> (Alison Diana)
- EDPS Adopts Opinion on Cloud Computing – <http://bit.ly/We6sU8> (Nerea Rial)
- Exchange Administrators Need a Consistent Interface for Email Archiving – <http://bit.ly/UdX6DF> (Charles Skamser)
- Exchange 2013 Enhanced Email Retention, Archiving, Legal Hold, and eDiscovery – <http://bit.ly/WsWKNN> (Rand Morimoto)
- FTC, Consumer Actions Shape Advertising and Marketing Landscape – <http://bit.ly/UK99XC> (Marc Roth, Edward Kabak)
- Information Commissioner’s Office Set to Issue First Fines Under Privacy and Electronic Communications Regulations – <http://bit.ly/WqCCM0> (Cynthia O’Donoghue)
- Mandamus as Tool to Challenge Denial of Protection for Confidential Data – <http://bit.ly/Wt0xun> (Gregory Joseph)
- Measuring The State Of Primary Storage Deduplication – <http://bit.ly/Ugx15C> (George Crump)
- More Data, More Problems? Or More Opportunities? <http://huff.to/ULSFyk> (Nick Patience)
- NLRB Dishes Up Another Social Media Turkey – <http://bit.ly/Wt153v> (Jeffrey Berman)
- Personal Health Records Get Social – <http://bit.ly/XI73xF> (Michelle McNickle)
- Petraeus Mission Impossible: Cloaking Email, Online Identities – <http://bit.ly/UK6Wvr> (Mathew Schwartz)
- Stolen NASA Laptop Had Unencrypted Employee Data – <http://bit.ly/XLCWph> (Matthew Schwartz)
- Storage Purchasing Strategy: Channel Choices – <http://bit.ly/WuSA88> (Mark Peters)
- The Danger of Taking Expert Depositions — Opening the Door to New Opinions – <http://bit.ly/UI6pKo> (Gregory Joseph)
- The Software Spending Pulse for 2013 | Sandhill – <http://bit.ly/UGMgEy> (Kathleen Goolsby)
- Troubleshooting Free/Busy Issues with Office 365 – <http://bit.ly/UIy2mx> (John Mello)
- What the Petraeus Investigation Tells Us About Online Surveillance – <http://bit.ly/UJib7g> (J.D. Tuccille)

- Why Risk Data Breaches? <http://bit.ly/UdPalJ> (Judy Selby)

## Vendor Views

### Industry Landscape

- AccessData Announces Partnership with Commonwealth Legal – <http://bit.ly/XIV5Eb> (Business Wire)
- Actiance Expands Sales Management Team to Drive Growth in the Social Enterprise – <http://bit.ly/XMiC73> (Marketwire)
- Autonomy's Mike Lynch Denies Charges – <http://read.bi/UfbQ5e> (Julie Bort)
- BlackBag Announces BlackLight™ 2012 R4 Forensics Software Release – <http://bit.ly/WfTdIJ> (Press Release)
- bluesource Becomes Most Accredited Clearwell eDiscovery Platform Partner – <http://prn.to/XI8dJy> (PR Newswire)
- Catalyst and Rimkus Analytics Join Forces to Offer E-Discovery Technology and Consulting – <http://mwne.ws/UaDHDC> (Marketwire)
- Catalyst Ranked Among Fastest Growing Companies in NA on Deloitte's 2012 Technology Fast 500 – <http://bit.ly/UIXOqK> (Press Release)
- Choosing Right Hosting Platform – And eDiscovery Company – Can Accelerate Document Review And Save Money <http://bit.ly/UKXSpW> (Kelli Clark)
- CommVault Software Ships with Next Generation Dell Data Protection Appliance for Modern Enterprises – <http://bit.ly/UK5FV1> (Press Release)
- Daegis Adds Experienced Business Development Managers to its eDiscovery Leadership Team – <http://bit.ly/UdU8z1> (PR Log)
- Discovery360™ Enterprise Now Available for Mac – <http://bit.ly/XZz2ce> (InterLegis)
- DTI National Technology Data Center Completes SOC 2 Audit - <http://bit.ly/XZhjBJ> (@LegalIT)
- Endeca Explanation – Beyond Search – <http://bit.ly/WpVzyC> (Cynthia Murrell)
- e-Stet Awarded Relativity Best in Service Designation – <http://yhoo.it/WqE9lo> (PR Web)
- FTI Consulting: eDiscovery Steps Outside Of The Black Box – <http://bit.ly/Ugsm4Y> (Joe Looby)
- HP Issues Statement Regarding Autonomy Impairment Charge – <http://bit.ly/WtfjRN> (Hewlett Packard)
- HP Takes \$8.8 Billion Writedown on Autonomy – <http://cnmmon.ie/Wt1u63> (David Goldman)
- Jatheon Technologies: Focused Email Archiving Provider Offers Value While Others Are Spread too Thin – <http://bit.ly/U8CjRN> (PR Web)
- kCura Ranked Number 31 Fastest-Growing Company in North America on Deloitte 2012 Technology Fast 500 – <http://bit.ly/UGYyNa> (Press Release)
- Lexis Sells Court Filing Service to CaseFileXpress – <http://bit.ly/XPp4dz> (Evan Koblentz)
- Litigation Costs Specialist Unveils Solution to Help Solicitors Become Jackson-Compliant – <http://bit.ly/WpV1bS> (@LegalIT)
- PowerSearch Software Announces New Tiered Offerings for the Legal Market – <http://bit.ly/UdXqIU> (@LegalIT)
- Q&A with Alon Israely – Co-Founder and Senior Advisor in BIA Advisory Services Group – <http://bit.ly/U8cXDz> (ComputerUser)
- Mimecast Beefs up Archiving Offerings – Introduces Host of New Products and Features – <http://bit.ly/TS8aGq> (PR Web)
- Overview of eDiscovery Across the Microsoft Office Platform – <http://bit.ly/UIUM5W> (Mike Ferrara)
- Viewpointe's Information Governance Platform, OnPointe, Selected by SunTrust – <http://bit.ly/UGYFZh> (Business Wire)
- Web Archiving: Catching History Before It's Gone – <http://bit.ly/U8GTzw> (Mark Middleton)
- X1Discovery Releases Version 3.0 of X1 Social Discovery – <http://yhoo.it/UGYtJs> (Business Wire)

## 2012 eDiscovery Events

### NOVEMBER

#### **Information Governance & eDiscovery Strategy**

November 27-29, 2012

Munich, Germany

[Click here for more information.](#)

### DECEMBER

#### **Georgetown Law – The Advanced eDiscovery Institute**

December 6-7, 2013

Washington, DC

[Click here for more information.](#)

## 2013 Events

### JANUARY

#### **LegalTech New York 2013**

January 29-31, 2013

New York, NY

[Click here for more information.](#)

### FEBRUARY

#### **ACEDS 2013 Annual Conference and Exhibition**

February 28 – March 2, 2013

Hollywood, FL

[Click here for more information.](#)

### MARCH

#### **Legal IT Business Show 2013**

March 5-6, 2013

London, United Kingdom

[Click here for more information.](#)

#### **The Sedona Conference® Institute's 7th Annual E-Discovery Program: Living On E-Discovery's Cutting Edge**

March 21-22, 2013

San Diego, CA

[Click for more information.](#)

### APRIL

#### **ABA TECHSHOW**

April 4-6, 2013

Chicago, IL

[Click here for more information.](#)

#### **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.](#)

## **MAY**

### **LegalTech West Coast**

May 21-22, 2013

Los Angeles, CA

[Click here for more information.](#)

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>.