

# ComplexDiscovery | Weekly eDiscovery Top Story Digest

## March 19, 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

- A Basic eDiscovery Framework: One Way To Align Three Differing Approaches – [@ComplexD](http://linkd.in/1l3aY48)
- Analytics Integration Can Key Long-Term Success for Advisory Firms – <http://bit.ly/1girsxo> (Gerard Britton)
- Apple Can't Mention Inadvertent Disclosure in Samsung Case – eDiscovery Case Law – <http://bit.ly/1lZVSwt> (Doug Austin)
- Best Practices in eDiscovery for Handling Large Stores of Unreviewed Client Data – <http://bit.ly/1ohjRps> (@RalphLosey)
- Big Predictive Coding Fish and Small Ponds: A Practice Note – E-Discovery & Litigation Readiness – <http://bit.ly/1eC0Ck5> (Damian Durrant)
- Bracing for the eDiscovery Dangers of Employee Status Changes – <http://bit.ly/1cQsNAP> (Ted Gary)
- Cloud-Based eDiscovery: The Importance of Elasticity – <http://bit.ly/1npYemB> (Andrew Bartholomew)
- Defective Diapers and Improper Preservation Lead to Litigation Mess – <http://bit.ly/1g8HZDO> (Jeffrey Richter)
- Do We Need an International Discovery Standard? <http://xerox.bz/1cYwLaD> (Christopher C. O'Brien)

- Does Deleted ESI Warrant An Adverse Inference? Sekisui Am. Corp. And Proposed Rule 37(e) - <http://bit.ly/1nmX8eS> (Lauren Fox)
- eDiscovery: Remember To Attach The Attachments - <http://bit.ly/1nAB5xM> (@Kristin\_Bergman)
- Electronic Discovery To The Nth Degree: ESI in Cyber Breach Incidents – <http://bit.ly/1nmYE0s> (Adam Cohen)
- Facebook Posts Can Backfire in Court – <http://bit.ly/1gzNHQ5> (@MarlisseSS)
- Facebook Subpoena – Trial Evidence – <http://bit.ly/1cNhREh> (@HayesHunt)
- How Do You Solve a Problem Like Metadata? Different Courts Have Different Answers – <http://bit.ly/1nNnNhH> (@ITLexOrg)
- Party Can't Seek Discovery Costs When Requested Emails "Are Not Inaccessible" To Them – <http://bit.ly/1me8zDX> (@ITLexOrg)
- Point of Sale Data Collection Litigation – An Overview and Future Directions – <http://bit.ly/1kANlzQ> (Andrew Hoffman)
- Predictive Ranking (TAR) for Smart People - <http://bit.ly/1kJuUsH> (John Tredennick)
- Predictive Coding Technology Continues to Gain Traction in Legal Document Review – Innovation Insights – <http://wrd.cm/1d1Ay7f> (Scott Kane)
- Q&A: Understanding the eDiscovery Implications of Employee Status Changes – <http://bit.ly/1cNhct9> (Andrew Bartholomew)
- Resource: 101+ eDiscovery Resources: An Abridged Overview - <http://bit.ly/1cNNOMv> (@ComplexD)
- Responding to Cross-Border Litigation and Regulatory Investigations – <http://bit.ly/1gzL0hz> (Deborah Blaxell)
- Sanctions Imposed for Manipulation of Metadata to Conceal Use of Unproduced Computer – <http://bit.ly/1kKF1NM> (K&L Gates)
- The Growing Importance of Non-Litigation Services in eDiscovery – <http://bit.ly/1irb4hb> (@RalphLosey)
- Think Deleted Text Messages Are Gone Forever? Think Again – <http://bit.ly/1erFhd7> (Tom Kaneshige)
- To Native or Not to Native, That Is the Question – <http://bit.ly/1iWWkgG> (Licyau Wong)
- Using eDiscovery Clauses in Commercial Contracts to Restrict Sanctions and Shift Costs - <http://bit.ly/1fEUIN7> (Jay Brudz, Amy Ramsey Marcos)
- Want ESI? Be Specific. <http://bit.ly/1kWMI9b> (Rocco Seminerio)
- You Want \$60,572.61 in Costs? Here is \$25.48 - <http://bit.ly/1kCblm6> (Josh Gilliland)
- What is the Difference Between Managed Review and Legal Staffing? <http://bit.ly/1eNHbZC> (Ki Hwang, Geoff Wilcox)



### **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.

- 4 Accused in Law Firm Fraud Ignored a Maxim: Don't Email – <http://nyti.ms/1gXOWtL> (Matthew Goldstein)
- 5 Key Points About Patent Subject Matter Eligibility – <http://bit.ly/1giEZVx> (Courtenay Brinckerhoff)
- Background Check Documentation (Printed and Online) Under Renewed Scrutiny – <http://bit.ly/1gghvCo> (@DanielSchwartz)
- BYOD: A Security Risk or A Matter of Employee Productivity – <http://bit.ly/1cQr4eU> (@AbelWike)
- Can You Keep a Secret? Confidentiality Clauses in Settlement Agreements Are For Real – <http://bit.ly/1giG2Vy> (Ray Bennett)
- Costs Of Litigation Under New Unified Patent Court Framework Not Sufficiently Clear – <http://bit.ly/1nAMmy3> (Pinsent Masons)
- Courts Disagree on Meaning of “Interruption of Service” When Determining Loss Under Computer Fraud and Abuse Act – <http://bit.ly/1iWX1QK> (@TradeSecretLaws)
- Cybersecurity Update: SEC Announces Scrutiny For Investment Companies And Investment Advisers – <http://bit.ly/1giCDpl> (Kenneth Greenberg)
- Digital Evidence and How to Find It – Top Tips for Safeguarding your Business – <http://bit.ly/1evPSDM> (Morna Mackenzie)
- Don't Upload Health Care Data to Google Cloud, UK Groups Say – <http://bit.ly/1gzMvMC> (@LoekEssers)
- Fixing Merger Litigation – <http://bit.ly/1giDeb8> (@HarvardCorpGov)
- Governance in a Cloud – <http://bit.ly/1giWaGE> (Miles Ashcroft)
- Governing Big Data – <http://bit.ly/1gmVvQX> (Judy Selby)
- Governing the Cloud - <http://bit.ly/1g50FVg> (@EYNews)
- How a Company Insider Can Leave, Take Company Business and Not Breach Her Fiduciary Duty – <http://bit.ly/1gXP3FP> (Shep Davidson)
- International Consensus on “Software as Medical Device” Definition – <http://bit.ly/1eA9BCh> (Marie Doyle-Rossi)
- Mitigating Cyber Risk: Strategies to Reduce Exposure - <http://bit.ly/1cYr5O2> (Ty Gerking, Mark Massey)
- Recent Developments in Patent Damages Cases – <http://bit.ly/1d1HEsi> (Rich Steeves)
- Resource: The Association of Corporate Counsel Compliance Portal – <http://bit.ly/1giwOsI> (@ACCinhouse)
- SEC Not Altering Compliance Rules For Social Media – <http://bit.ly/1d1Gugt> (Julia Kenny)
- The FCPA And The “Failure To Communicate” – <http://bit.ly/1njClc5> (Mike Koehler)
- The Joy of SOX: What Employee Activity is “Protected”? <http://bit.ly/1gqfdDg> (@RobinEShea)
- Toward a Constitutional Review of the Poison Pill: A Reply to Wachtell Lipton – <http://bit.ly/1me7ZGf> (Lucian Bebchuck)
- Why, Whether, and When the FCPA Matters in Capital Market Transactions: The Asian Perspective – <http://bit.ly/1kHqKlb> (@CCI\_Compliance)
- Who is Protected by Sarbanes-Oxley and Dodd-Frank Whistleblower Anti-Retaliation Provisions? <http://bit.ly/1g5e3Zg> (Jennifer Farer)



## **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.

- 2nd Edition of the Buyer's Guide to eDisclosure Systems - <http://bit.ly/1bOr7qj> (Andrew Haslam, Charles Christian)
- A Treasure Trove of @EnCase Version 7 Resources to Help You Make the Transition - <http://bit.ly/1gz64G5> (Ken Mizota)
- Actiance and Shoutlet to Provide Organizations With Compliant Social Marketing - <http://bit.ly/1fOoq3x> (@Marketwired)
- Actiance Introduces Read-Only Access to Social Networks in Response to SEC Ruling - <http://yhoo.it/1g52RMk> (@Marketwired)
- Actiance Socialite Available Through the EMC Select Program - <http://yhoo.it/1eLEfMU> (@Marketwired)
- Advanced Discovery, National Provider of eDiscovery Services, Welcomes New VP - <http://bit.ly/1gq96yL> (PR Web)
- AHIMA Partnering with Information Governance Think Thank - <http://bit.ly/1bLtU3S> (Journal of AHIMA)
- Belkasoft Forensic Becomes Guidance Software Partner of the Month - <http://bit.ly/1kVjOI> (PR Web)
- BDO Consulting Appoints Keith Barger As A Managing Director - <http://bit.ly/N2ldHo> (@CityBizList)
- BR 101 – Basic Terminology and Concepts – <http://bit.ly/1l0wWVo> (@BeyondRecog)
- Catalyst Secure and Park IP Translations Partner to Provide Multi-Language Services and Technology - <http://mwne.ws/1g93Smb> (@Marketwired)
- Concept Search Metadata Survey Results Indicate Search is Not an Information Governance Consideration - <http://bit.ly/1kqQm5G> (PR Web)
- Concept Searching Metadata Survey Shows Growing Interest in Office 365 - <http://bit.ly/1ku53BF> (PR Web)
- dinCloud Announces Cloud Services for the Legal Industry - <http://bit.ly/1goepLk> (Sean Doherty)
- Daegis' CEO Discusses F3Q 2014 Results – Earnings Call Transcript - <http://bit.ly/1ezOlVL> (Seeking Alpha)
- Decision First Technologies™ and DATUM LLC Announce Partnership - <http://bit.ly/1ir6krY> (PR Web)
- Discovia Achieves 99.65 Percent Error-Free Delivery of eDiscovery Services in 2013 - <http://bit.ly/1fEEHho> (Press Release)
- Discovia Hires Kevin Rich as Vice President of Finance and Administration – <http://bit.ly/1l0nTnu> (Press Release)
- DriveSavers and KelbyOne Partner to Recover Digital Images from Around the World - <http://bit.ly/1n2KiyP> (Business Wire)
- DTI Opens State-of-the-Art Document Review and Knowledge Center in New York City - <http://bit.ly/1eqiOAP> (@LegalIT)

- E-Discovery and Investigation Expert Steve Schmelkin Joins @ClutchGroup as Senior Director - <http://bit.ly/1nmXIZY> (PR Web)
- eDiscovery Profiles: Laura Zubulake, Author of “Zubulake’s e-Discovery” – eDiscovery Trends - <http://bit.ly/1gMEQvC> (Doug Austin)
- eDiscovery Profiles: Tom O’Connor of Gulf Coast Legal Technology Center – eDiscovery Trends - <http://bit.ly/1cYwZib> (Doug Austin)
- EDOX Opens Dallas Office to Serve Growing Texas Market; Adds e-Discovery Veteran/Professional - <http://bit.ly/1jzKXGg> (PR Web)
- EDRM Announces Spring Event Schedule - <http://bit.ly/1fLgeWe> (Press Release)
- EDT Launches No-Cost Migration Service for Summation Clients in New Zealand - <http://bit.ly/1gmViRO> (PR Web)
- EnCase and Blue Coat Join Forces Against Advanced Threats and Security Risks - <http://bit.ly/N2mJta> (Business Wire)
- Epiq Systems Announces Resignation of Elizabeth M. Braham as Chief Financial Officer - <http://on.wsj.com/1fbKtBs>(Press Release)
- Epiq Systems Appoints W. Bryan Satterlee as New Independent Lead Director - <http://bit.ly/1fOmg49> (Press Release)
- Epiq Systems Survey Finds Managing Audio Data a Key Challenge for Majority of Corporations - <http://bit.ly/1kCb0jg> (Press Release)
- Email Threading Application from kCura® – YouTube - <http://bit.ly/1fhp9di> (Content Analyst)
- Empire Discovery Launches New Consulting Group - <http://bit.ly/P8i8H7> (Press Release)
- Epiq Systems Announces 2013 Results Led by 45% Organic Growth in eDiscovery Operating Revenue - <http://on.mktw.net/1ehzlaa> (Press Release)
- Exterro Growth Fuels Expansion of Management Team - <http://bit.ly/1kPiFYn> (Press Release)
- eTERA Consulting Announces Achieving Major Milestone of 10 Years in Business - <http://bit.ly/1fGCWQ1> (PR Web)
- eTERA Consulting Announces Appointment of Litigation Support Expert Emily Goodwin Kime - <http://bit.ly/1ZOnWv> (PR Web)
- Foxwordy, the First Private Social Network for Lawyers, Makes Official Debut - <http://cnb.cx/1mM3dh3> (PR Newswire)
- Governance Risk and Compliance Solutions – The @Forrester Wave 2014 (Downloadable Paper) - <http://bit.ly/1kAz9GX> (@TheNetworkInc)
- Guidance Software Highlights of the Sedona Conference Institute Program on “eDiscovery in a New Era” - <http://bit.ly/1gxqM7t> (Chad McManamy)
- Guidance Software Wins Reader Trust Award in 2014 SC Magazine Awards - <http://on.mktw.net/1ezN9ly> (Business Wire)
- Haystac Revolutionizes the Way Unstructured Data is Classified and Analyzed - <http://bit.ly/1ir638s> (Press Release)
- HP Breaks Autonomy IDOL Into Discrete Services - <http://bit.ly/1exF3oz> (@pcworld)
- How to Use Partitioning to Make kCura Relativity Faster - <http://bit.ly/1euQUdZ> (Brent Ozar)
- Hudson Global Reports 2013 Fourth Quarter and Full-Year Results - <http://bit.ly/1euiBRk> (Globe Newswire)

- Huron Consulting Group Announces Fourth Quarter and Full Year 2013 Financial Results - <http://on.mktw.net/MZTGGt> (Business Wire)
- iCONNECT Releases Japanese Version of XERA Document Archive Software - <http://bit.ly/1iECwZ6> (Press Release)
- Integreon Names Laurel Lichty to Head Compliance Services - <http://prn.to/1eqCynT> (PR Newswire)
- Iris Data Enhances eDiscovery Workflows with the @Nuix Engine – Network <http://bit.ly/1glUHvo>(Biz Cloud)
- Iron Mountain Appoints Rod Day Executive Vice President and Chief Financial Officer - <http://on.wsj.com/1I05Cqf> (Business Wire)
- Iron Mountain Reports Fourth Quarter and Full-year 2013 Financial Results - <http://on.mktw.net/1euCOIQ> (Business Wire)
- KMWorld 100 Companies That Matter in Knowledge Management - <http://bit.ly/1kCg6vN> (Hugh McKellar)
- Latest Trends in Document Review: Benchmarks, Metrics, and Drivers - <http://bit.ly/P9JrRA> (@LegalTalkNet)
- Legal Tech Providers Make KMWorld’s ‘100 Companies That Matter’ - <http://bit.ly/1kCgbzK> (Sherry Karabin)
- Leveraging Managed Review To Optimize Your Litigation Team’s Efforts - <http://bit.ly/1kPoVzl> (@TrustPointIntl)
- Need to Solve a Problem? See eDiscovery from the End to the Start - <http://bit.ly/1nmZyds> (@wmdrewlewis)
- Nexidia Announces Nexidia QC™ 2.1 for Caption and Language Verification - <http://bit.ly/1iEMCsK> (Press Release)
- QDiscovery Expands eDiscovery Services Into Asia Pacific With Ji2 Partnership - <http://yhoo.it/1gOUPtj> (@Marketwired)
- RSD Recognized by Forrester Research in SharePoint Information Governance Report - <http://bit.ly/1n2lq97> (Business Wire)
- Start-Up Launches Platform to Sell Packaged Legal Services - <http://bit.ly/1kCgwT5> (@BobAmbrogi)
- Symantec Appoints Mark Garfield as Chief Accounting Officer - <http://on.mktw.net/1g1G97Z>(@Marketwired)
- The Facts About Endeca Guided Search - <http://bit.ly/1nmViuj> (Stephen Arnold)
- Twenty-Five Percent Fewer Eyes on Each Project From 2010-2012: A Sign of the Times? <http://bit.ly/1n2Sr6b> (Eric Robinson)
- Unify Sets New “High Bar” for User Experience for Unified Communications Industry - <http://bit.ly/1lZW6DO> (Press Release)
- Vendor Education: Relativity Assisted Review Video – YouTube - <http://bit.ly/1dvkFna> (@kCura)
- Venio Systems Adds Veteran Hal Brooks to Lead Sales and Promotes Paul Iszard to VP of Business Development - <http://bit.ly/1jy9A6i> (PR Web)
- Why Include a TAR Expert in Your Review? <http://xerox.bz/1ni0QTp> (Topher Healy)
- X1 First To Offer Social Discovery Certification - <http://bit.ly/1g5cOJG> (@BarryJMurphy)
- Xact Data Discovery Continues Pattern of Growth - <http://bit.ly/1cNbT6g> (@Marketwired)

- ZL Technologies Honored in KMWorld's "100 Companies That Matter in Knowledge Management" - <http://yhoo.it/1gRTUlr> (@Marketwired)



### *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**

#### **Pharmaceutical & Medical Device Legal & Compliance Forum**

March 24-25, 2014

Alexandria, VA

[Click here for more information.](#)

#### **ABA TECHSHOW**

March 27-29, 2014

Chicago, IL

[Click here for more information.](#)

### **APRIL**

#### **AIIM 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.](#)

**Complex**  **Discovery**

For the latest eDiscovery news, visit [ComplexDiscovery](#).

To receive the *Weekly eDiscovery News Update* by email for eDiscovery news, corporate risk information and vendor clips, [click here](#).

