

ComplexDiscovery | Weekly eDiscovery Top Story Digest

July 24, 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 Issues

- Acrobat to the Rescue: Searching Unsearchable Productions - <http://bit.ly/1dPBOo6> (Craig Ball)
- Awarding eDiscovery Costs to Prevailing Party: Billing Descriptions Dictate What is Recoverable - <http://bit.ly/1boLkBS> (David Bohrer)
- Conor Crowley Updates Latest eDiscovery Trends - <http://bit.ly/12Mn3fF> (Victor Li)
- Courts Struggle With Determining Reasonability of eDiscovery Vendor Bills - <http://bit.ly/1dPAHou> (Ralph Losey)
- Destroyed Tape Recording Leads To Sanctions – <http://bit.ly/18AN5LU> (@ITLexOrg)
- Did the Court Just Look at Facebook On Its Own? <http://bit.ly/15HI7qy> (Josh Gilliland)
- Diving into E-Data: Second Circuit Guidance Regarding Searches of Computers (PDF) <http://bit.ly/163YLRA> (Grayson Yeargin, Emily Harlan)
- eDiscovery Best Practices: Bridging the Gap - <http://bit.ly/19eaUsj> (Eric Robinson)
- GPS Location Data Requires a Warrant - <http://bit.ly/15PSuZF> (Peter Vogel)
- Gross Negligence + Lack Of Litigation Hold = Spoliation Sanctions - <http://bit.ly/192J5mQ> (@ITLexOrg)
- Information Discovery: Further Adventures in Predictive Coding – <http://bit.ly/18BODpd> (Herbert Roitblat)
- Law Departments Have Growing Choices – Should Law Firms Worry? <http://bit.ly/19eexP1> (Ron Friedmann)
- Leveling the Playing Field - <http://bit.ly/18AQ72J> (Peter Coons, Cynthia Courtney)
- No Sanctions for Routine Deletion of Text Messages “So As Not To Unduly Encumber” Cell Phones - <http://bit.ly/12Mrbfu> (K&L Gates)
- Predicting Discovery? 120-Second Provider Predictive Coding Survey – Update - <http://bit.ly/137sfLc> (@ComplexD)
- Printed Copies of Documents Not Enough, Spoliation Sanctions Upheld for Discarding Computer – <http://bit.ly/12Ym0xS> (Doug Austin)
- Proposed Law Aims to Give More Privacy to Email - <http://bit.ly/13pq0qJ> (Victor Li)
- Social Media Discovery: You Gotta Be Down With OPP (Other People's Profiles) – <http://bit.ly/19gf4QA> (@ITLexOrg)
- Smoking Gun in ‘Fabulous Fab’ Case Spotlights Perils of Loose Email Banter - <http://bit.ly/13mMpVE> (Robert Hilson)

- Suit Claims Skadden Owes Doc Reviewer Overtime Pay - <http://bit.ly/15TEa2d> (Sara Randazzo)
- The DESI V Workshop on Predictive Coding, Machine Learning, and eDiscovery Review (With Video) – <http://bit.ly/131N6US> (Greg Bufithis)
- ‘TheDirty.com’ Goes to Trial | Socially Aware Blog – <http://bit.ly/1bKN7Bs> (Cecilia Ziniti)
- Tick Tock: The Pendulum Swings Back to a World of Proportional Discovery – <http://bit.ly/163Zgel>(Jason Schaefer, Betsy Cook Lanzen)
- Update: Predictive Coding One-Question Provider Survey – From Active Learning To Support Vector Machine – <http://bit.ly/166eWhl> (@ComplexD)
- What’s Next for the Federal Rules of Civil Procedure Amendments? | Legal Talk Network - <http://bit.ly/137HFPJ> (Michelle Lange, Thomas Allman)
- Wish There Were Better Standards for Production of Native Files? Enough is ENF! <http://bit.ly/135yiE3> (Doug Austin)

Corporate Risk

- \$1.7 Million Fine for HIPAA Violation - <http://bit.ly/1bIMDvr> (Peter Vogel)
- 5 Rules for Better Compliance Questionnaires – <http://bit.ly/1brlnlc> (Ryan McConnell, Shane Kimzey)
- 10 Big-Money IP Verdicts in Trade Secret Litigation - <http://bit.ly/15PIIXj> (Lisa Schuchman)
- Comparing Firm Billing Rates by Practice, City, Size - <http://bit.ly/133xPhl> (Catherine Dunn)
- Developing Issues in IP Law - <http://bit.ly/15BvBJ6> (Yar Chaikovsky, Michael Barclay)
- Don’t Let Social Media Sabotage your Divorce or Family Law Case – <http://bit.ly/136sfuS> (David Wildstein)
- Drink and Drive. Get Fired. Collect Unemployment Benefits? Yep, Says Court – <http://bit.ly/18AO2DY>(Daniel Schwartz)
- Ethics: Is Copying Software Ever OK — and Who Gets to Decide? – <http://bit.ly/1bFvbYQ> (Marcy Maslov)
- EU VP Reding Uses PRISM as Lever to Push Enactment of Regulation and Questions EU-US Safe Harbor - <http://bit.ly/18tpZa5> (Christopher Wolf)
- FCPA: Maslow’s Hierarchy Challenged - <http://bit.ly/1324ioJ> (Dr. Henry Wong Meng Yeong)
- E-Signatures and Assents - <http://bit.ly/18tqd12> (John Gregory)
- FCC Clarifies Carrier Obligations to Protect Information Collected and Stored on Mobile Phones - <http://bit.ly/18tqrF1> (Phillip Berenbroick, Mark Brennan)
- FERC Flexes Regulatory Muscles, Lawyers Get Busy - <http://bit.ly/1dKipVt> (Ross Todd)
- Fifth Circuit Cuts Employers Out of Whistleblower Loop - <http://bit.ly/18soh8P> (Jenna Greene)
- Fracking Company Agrees to \$20 Million Cleanup - <http://bit.ly/18yn2Fa> (Jenna Greene)
- FTC vs. Wyndham Could Make CIOs Fiscally Accountable - <http://bit.ly/1dPJC9k> (Tam Harbert)
- Goldilocks, Porridge and General Solicitation - <http://hvr.me/1dJH7pb> (David Lynn)
- Is Genesis Really a New Beginning for Rule 68 Offers of Judgment in FLSA Matters?<http://bit.ly/1dR4FbK> (Janell Ahnert)
- Model Order Would Cut Patent Fights Down to Size - <http://bit.ly/1323akR> (Sheri Qualters)
- Risk Management Systems: The New Frontier - <http://bit.ly/1326KeO> (Michael Volkov)
- SEC Eyes Data Mining to Boost Fraud Detection - <http://bit.ly/192RYg8> (David Katz)
- Tech Companies Urge Congress to Pass Federal Data Breach Notification Law - <http://bit.ly/161P7Rv> (Victor Li)
- The Deterrence Effect of SEC Enforcement Intensity on Illegal Insider Trading - <http://hvr.me/1dJHwb4> (Diane Del Guercio, Elizabeth Odders-White, Mark Ready)
- The FCPA Resource Guide in Chinese - <http://bit.ly/15POPuV> (Eric Carlson)
- Uniform Trade Secrets Act: NDA Requirement for Identification of Confidential Information in Writing - <http://bit.ly/12PZFhp> (Bryan Fallor)

Technology Considerations

- 8 Tips Toward a Successful Cloud Migration - <http://bit.ly/1dSDWeN> (Mitch Wagner)
- 2013 Future of Cloud Computing – 3rd Annual Survey Results - <http://slidesha.re/1bG7O1g> (Michael Skok)
- Accelerating Big Data Analytics with Flash Caching - <http://bit.ly/19fQS0M> (Kimberly Leyenaar)

- Archiving Social Media is Not Spy Work - <http://bit.ly/1bH5o2s> (Jason Krause)
- Cloud Computing & The Internet of Things go Hand in Hand - <http://bit.ly/1bnW9E8> (Mike Wheatley)
- Considering Social Media? ILTA13 and Advice (PDF) <http://bit.ly/131PPgY> (@InsideLegal)
- Google's Impact on Journalism - <http://bit.ly/12ZJJxO> (Patrick Maines)
- How to Craft a BYOD Governance Program - <http://bit.ly/19fRjYX> (David Weldon)
- LinkedIn Has Growing Value for Lawyers - <http://bit.ly/15ZHNG4> (Nicole Black)
- Mainframe Computers That Change With the Times - <http://nyti.ms/1bJAZAu> (Quentin Hardy)
- SIM Card Vulnerability Puts One Quarter of all Phones At Risk - <http://bit.ly/13xmkTX> (Mike Wheatley)
- Tactics for Responding to Cyber Attacks – Squeezing Your Cyber Response-Curve: Part 1 - <http://bit.ly/1dQGs57> (Colin McKinty)
- The Bring-Your-Own-Device Dilemma - <http://bit.ly/161DES9> (Elise Ackerman)
- Tips for the New Admin - <http://bit.ly/12Tc8AT> (Jeff Orloff)
- What is Shingling? <http://bit.ly/160rcOe> (Andre Ross)

Vendor News

- Vendor Clips Weekly Update for Week Ending July 22, 2013 - <http://bit.ly/18xb2Ai> (@ComplexD)

2013 Events

JULY

Laguna Beach eDiscovery Retreat

July 28 – 29, 2013

Laguna Beach, CA

[Click here for more information.](#)

AUGUST

American Bar Association Annual Meeting

August 8-13, 2013

San Francisco, CA

[Click here for more information.](#)

ILTA 2013 Annual Conference

August 18-22, 2013

Las Vegas, NV

[Click here for more information.](#)

SEPTEMBER

E-Discovery for Corporate Market Conference

September 17 – 18, 2013

Houston, TX

[Click here for more information.](#)

2013 Conference on Preservation Excellence

September 18-19, 2013

Portland, OR

[Click here for more information.](#)

Hosting and Cloud Transformation Summit North America

September 23 – 25, 2013

Las Vegas, NV

[Click here for more information.](#)

Fifth Annual Intermountain eDiscovery Conference – 2013

September 26, 2013

Salt Lake City, UT

[Click here for more information.](#)

OCTOBER

Relativity Fest

October 6-8, 2013

Chicago, IL

[Click here for more information.](#)

Gartner Symposium/ITxpo

October 6-10, 2013

Orlando, FL

[Click here for more information.](#)

EDRM 2013-2014 Midyear Meeting

October 9-11, 2013

Saint Paul, MN

[Click here for more information.](#)

ACEDS 2013 Corporate E-Discovery Summit

October 10-11, 2013

San Francisco, CA

[Click here for more information.](#)

2013 EDI Leadership Summit

October 15 – 17, 2013

Santa Monica, CA

[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.](#)

NOVEMBER

KMWorld 2013

November 6-8, 2013

Washington, DC

[Click here for more information.](#)

The Advanced eDiscovery Institute

November 21-22, 2013

Washington, DC

[Click here for more information.](#)

DECEMBER

E-Discovery for Corporate Market Conference

December 11 – 12, 2013

Los Angeles, CA

[Click here for more information.](#)

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