

Unfiltered Orange |

Weekly eDiscovery News Update – September 26, 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>.

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eDiscovery News

Content and Considerations

- 5 Ways to Manage ESI in Alternative Dispute Resolution Processes – <http://bit.ly/TdzuT9> (Cecilia Morgan)
- A Judge's Viewpoint: The Court vs. Government Regulators in an Investigation - <http://bit.ly/PSUHhY> (Amber Scarah)
- A New Approach to eDiscovery Dispute Resolution - <http://bit.ly/P0Kehy> (Richard Herrmann, Vincent Poppiti, Kevin Brady)
- Analysis of the Official Report on the 2011 TREC Legal Track – Part Three - <http://bit.ly/Q9u9cu> (Ralph Losey)
- Are Social Media Posts Discoverable? <http://bit.ly/Q1JmME> (Bruce Raymond)
- Authentication of Website Evidence – Printouts of Web Pages - <http://bit.ly/Pf3pnY> (Gregory Joseph)
- Case Commentary: Breezeway Overseas Ltd & Another v UBS AG & Others [2012] - <http://bit.ly/Pjbg3X> (Serena Lim)
- Changes Coming in the Litigation and eDisclosure Landscape - <http://bit.ly/PfIL76> (Chris Dale)
- Court Shifts Costs to Putative Class Action Plaintiffs Prior to Class Certification – <http://bit.ly/PT6r40> (Daryn Rush)
- Criminal eDiscovery: 21st Century Paperless Trails (Part 5 of 5) <http://bit.ly/Pk7zLm> (Daniel Garrie)
- Curtail Rising eDiscovery Costs With Predictive Coding - <http://bit.ly/P0JZD8> (Peter Buckley)
- Daubert Safeguards “Not as Essential” in Bench Trial – <http://bit.ly/Pjh5hG> (Gregory Joseph)
- Discoverability of Social Media: Two Similar Cases Reach Opposite Results – <http://bit.ly/PYdyZd> (Bob Ambrogio)
- DPP's Guidance on Social Media Prosecutions - <http://bit.ly/P2Rqd6> (Keir Starmer)
- Electronic Discovery in International Arbitration – Revisited (PDF) <http://bit.ly/SNDSSp> (Julie Bedard, Jonathan Frank)
- eLessons Learned Talks Cybersecurity with ABA President Laurel Bellows - <http://bit.ly/Pjdpwt> (Chris Borchert)
- Ethical Guidance on ESI; Pennsylvania, Florida Update Procedural Rules (ABA) - <http://bit.ly/Qlo7FF> (LexisNexis)
- Exclusive Interview: Zubulake's e-Discovery – A Twelve-Part Series (Part One) <http://bit.ly/PYeFba> (Part Two) <http://bit.ly/PgfTM4> (Catherine Kiernan)
- Facing Fines for Contempt, Twitter Produces Defendant's Tweets - <http://bit.ly/Ta9WX9> (K&L Gates)
- Foreign Nationals Seeking Facebook Information - <http://bit.ly/PfWx9P> (Josh Gilliland)
- GCs Must Consider the Obligation to Preserve Electronic Documents Maintained by Third Parties – <http://bit.ly/PXQbPl> (Martin O'Hara)

- Getting It Right: Training And Certification In Predictive Coding - <http://bit.ly/QcvD5J> (Howard Sklar, Michael Potters)
- Home Depot Can't Rummage Through Ex-Employee's Social Media Posts - <http://bit.ly/Q3csLK> (Sharon Nelson)
- LEDES Adds Activity and Expense Codes for eDiscovery – <http://bit.ly/P0IepH> (Evan Koblentz)
- Making Keywords Work Smarter - <http://bit.ly/P5B3wk> (Jeff Fehrman)
- Nude Photos: A Positive for Employers? <http://bit.ly/QueYSVx> (Michael Schmidt)
- Proper Wildcard Searching: Why You Should Give a Dam* – <http://bit.ly/Pjc34V> (Doug Austin)
- Radically Reinvent The Review Process - <http://bit.ly/Q2x6LK> (George Kiersted)
- Rambus 'Shred Days' Ruled Spoliation, \$397M Judgment Reduced - <http://bit.ly/Pn446U> (Jan Wolfe)
- Reasonable Particularity And Social Network eDiscovery - <http://bit.ly/P0Kqxr> (IT-Lex)
- State Judge Imposes \$300K Sanction On County For Hiding Emails In Police Brutality Case - <http://bit.ly/P5FcjL> (Robert Hilson)
- The Machine Learning / Predictive Coding Silver Bullet – <http://bit.ly/OmgIXQ> (Tim Leehealey)
- The Price of Privilege: Protective Orders and eDiscovery Costs - <http://bit.ly/PUIxFk> (Elizabeth Iglesias, Claire O'Sullivan)
- The World of eDiscovery is Expanding to Automobiles - <http://bit.ly/P6GYRM> (eLessons Learned)
- Thompson v. Autoliv – Another Court Accepts Discoverability of Social Media - <http://bit.ly/PXflxw> (Michael Fluhr)
- “Trust Me, I Know What I'm Doing!” Court Outlines Perils of Self-Collection and Inadequate Keyword Searches – <http://bit.ly/P5S7IL> (Paul Saso)
- U.S. Judge Finds Rambus Destroyed Evidence in Hynix Case - <http://reut.rs/QdyJGF> (Michael Erman)
- What Lawyers Must Know About Technology Assisted Review - <http://bit.ly/Q1GEXx> (Sandra Burch)

Reports and Resources

- Mobile Applications for Law Students and Lawyers – UCLA School of Law - <http://bit.ly/PY6ATM> (Hugh & Hazel Darling Law Library)
- EDD Update: Predictive Coding Vendors Duel for 'Dummies' - <http://bit.ly/QheM1y> (Michael Roach)
- NIST Comprehensive Risk Assessment Guidance for Federal Information Systems Published – <http://I.usa.gov/QlpzrC> (NIST)
- Technology Assisted Review Backgrounder – Update (2.1.12 to 9.25.12) <http://bit.ly/IitGTgb> (@OrangeLT)
- The 41-Year History of Email - <http://on.mash.to/QKhhXR> (BrandSpeak)
- The State of Social Media at Work In One Quick Infographic - <http://onforb.es/PWVRcd> (Mark Fidelman)

Sight and Sound

- IEDC 2012 and Pinterest: Self Collection: Can You Afford It? <http://bit.ly/PXeJYH> (Lael Andara)
- IEDC 2012 and Pinterest - eDiscovery: Special Master's Perspective - <http://bit.ly/OZtuY4> (Craig Ball)
- Information Governance Tips That Impact eDiscovery - <http://bit.ly/Qetkz7> (Karl Schieneman)
- IQPC 2012: Using Proportionality to Reduce Costs and Abuses - <http://slidesha.re/P6HD5J> (Alex Ponce de Leon)
- Metadata: What You Can't See Can Hurt You! | Legal Talk Network - <http://bit.ly/P6qRUc> (Sharon Nelson, John Simek)
- Trial By Water Or Trial By Fire? Case In Point - <http://bit.ly/HM288p> (Tom Fishburne)

Technology and Tactics

- 3 Steps for Compliance With the SEC's Conflict Minerals Rule – <http://bit.ly/P5E8g3> (Alexandra Wrangle)
- An Interesting Framework For Information Governance - <http://bit.ly/Tvbn2B> (Barry Murphy)
- Big Data's Human Component – Harvard Business Review - <http://bit.ly/PeXSOG> (Jim Stikeleather)
- DOJ Is Prosecuting Customs Fraud Through Sarbanes-Oxley's Obstruction of Justice Statute - <http://bit.ly/PeZEPI> (Michael Coursey)
- Employer Social Media Policies, Cyber Security and Other Web Notes - <http://bit.ly/PgeNA5> (Kevin LaCroix)

- EU Takes First Step Towards a European Version of the FCPA - <http://bit.ly/PYdW9P> (Adam Greaves)
- Exchange 2013 Usability Changes Revealed - <http://bit.ly/P6Y1C5> (Kurt Mackie)
- Facebook Users Convinced Years-Old Private Messages Are Being Published On Timelines (But They're Wrong) <http://onforb.es/Ph8yfd> (Kashmir Hill)
- Former Chief Of DOJ Fraud Unit Discusses Healthcare And FCPA Enforcement - <http://bit.ly/Qcv4ZD> (Hank Bond Walther)
- Inside Exchange 2013, Part 5 – Hardware Requirements - <http://bit.ly/Qf0fUk> (Casper Manes)
- Commentary: Intelligent Technology the Only Solution for Too Much Data - <http://bit.ly/PfgOfH> (Eddie Sheehy)
- In Clickwrap Data Pass Contract Dispute. Second Circuit Sacks Email Notice of Post-Transaction Terms – <http://bit.ly/Pn6RNn> (Jeff Neuburger)
- Iran Announces Plan To Launch Domestic Internet By March 2013 (And To Block Google Today) – <http://tcm.ch/Octas2> (Anthony Ha)
- Legal Project Management 2.0: The Pressure to Perform and the Mandate to Deliver - <http://bit.ly/Pn6D8V> (Pam Woldow)
- NLRB Invalidates Costco's Social Media Policy - <http://bit.ly/P5U2a3> (Hunton Williams)
- Personal Data Overhaul for EU citizens | Irish Examiner - <http://bit.ly/PjkPzQ> (Ann Cahill)
- Roadmap to Creating a Record Retention Policy - <http://bit.ly/Pn4p9H> (David Potter)
- Self-Defense: A Different Approach to Cloud Security - <http://bit.ly/QcBmsc> (John Barnes)
- Seven Habits for Effective Information Lifecycle Governance - <http://bit.ly/Qh5ZN6> (Sean Doherty)
- Study Reveals The Enormous Scale Of Cybercrime - <http://bit.ly/P5TC3C> (IT-Lex)
- The National Labor Relations Board Sheds Useful Light on Key Social Media Policy Provisions - <http://bit.ly/Pj8jAr> (Philip Gordon)
- Twitter CEO: Soon, You Can Download All Your Tweets | CNET News - <http://cnet.co/Q6HzWE> (Daniel Terdiman)

Vendor Views

Industry Landscape

- ACC 2012 Annual Meeting – An Orange Legal Technologies Update – <http://bit.ly/P5wXnY> (@OrangeLT)
- Apersee Refreshes eDiscovery Directory Services - <http://bit.ly/Ta4KT7> (Evan Koblentz)
- ArcMail: How Email Archiving Can Help Save Thousands on eDiscovery Costs - <http://bit.ly/QeN45G> (Brian Crouch)
- Autonomy Helps Enterprises Automate Policy Management with New Information Governance Solution – <http://prn.to/QcyHyV> (PR Newswire)
- BlackBag Technologies Launches Mac and iOS Forensics eLearning Program - <http://bit.ly/qlruwg> (PR Web)
- Capitol Digital Document Solutions Chooses CloudNineDiscovery as Technology Provider - <http://bit.ly/QcuNpw> (PR Web)
- CDS Legal: Today's E-Discovery, A Matter For Substantive Experts – <http://bit.ly/P9GTgg> (Garrett Bendel)
- CommVault joins ACEDS as Affiliate Member - <http://bit.ly/POHYXF> (Press Release)
- Concept Searching Partners with Firstservis - <http://bit.ly/Pf1sbd> (PR Web)
- Concept Searching Partners with Kodak - <http://bit.ly/Th6kCO> (PR Web)
- Considering eDiscovery Providers: Competencies, Attributes and Distribution Frameworks - <http://bit.ly/Qd72xy> (@ComplexD)
- D6 Consulting Augments eDiscovery Services with iCONNECT's XERA Platform - <http://bit.ly/QhlHYA> (PR Web)
- eDiscovery Acquisitions: Industry Consolidation Continues - <http://bit.ly/P5ENxL> (Doug Austin)
- eDSG Global 250 Study: CIOs are Focused on Legal Hold and Collection of Evidence - <http://bit.ly/Qj7uKU> (Charles Skamser)
- Elijah Ltd. Expands National Capabilities in Florida, Texas and Wisconsin - <http://bit.ly/QiqNUz> (Press Release)
- EVault Partners with ASBISC for Distribution to Eastern Europe and the Middle East - <http://bit.ly/QhvnT4> (Press Release)

- Exterro Fusion(R) eDiscovery Software Platform Named as Trend-Setting Product for 2012 by KMWorld – <http://mwne.ws/PX8CDD> (Marketwire)
- First Advantage Litigation Consulting Expands German Operations - <http://bit.ly/QdH2Cj> (@LegalIT)
- GroupLogic Explains Symantec and CommVault Partnerships, Ahead of Acquisition by Acronis – <http://bit.ly/P2JCYO> (DCIG)
- Guidance Software Celebrates 50,000 EnCase® Students - <http://yhoo.it/P2IXqm> (Business Wire)
- Informative Graphics Announces Brava Enterprise HTML5 Viewer - <http://mwne.ws/QhTTDH> (PR Web)
- Integreon Strengthens Legal Discovery Services Team with Appointment of Three Industry Veterans – <http://bit.ly/PkS8m4> (PR Web)
- Iron Mountain Launches Unified Solution for Managing Paper and Digital Files Leveraging SharePoint – <http://yhoo.it/P2IDbc> (Business Wire)
- Ji2 Adds Business Development Manager - <http://prn.to/PkRepF> (PR Newswire)
- KrollOntrack Improves Ontrack Inview, with Greater Search and Load File Speed, and More TAR Options – <http://bit.ly/Pkg60V> (Press Release)
- Liquid Litigation Management: Trends In Legal Technology: An Ever-Evolving Toolkit - <http://bit.ly/PjaPGK> (Scott Pitman)
- Meet the Crain’s Chicago Business Tech 50 (kCura) <http://bit.ly/Pjck82> (Steve Hendershot, Jason McGregor)
- National White Collar Crime Center Launches Certified Training for X1 Social Discovery - <http://bit.ly/Qlmec6> (John Patzakis)
- New Jersey Legal Expands eDiscovery Services with Addition of iCONNECT’s XERA - <http://bit.ly/PX91pP> (PR Web)
- New York Law Journal Names DiscoverReady Best Predictive Coding Solution in New York - <http://bit.ly/P650MM> (@LegalIT)
- New Zealand Law Firm Seeks Firmwide Technology Solution, Partners with Thomson Reuters Elite – <http://bit.ly/QhFaIT> (@LegalIT)
- Open-Source eDiscovery Foundation Emerging - <http://bit.ly/Qf0VZD> (Evan Koblentz)
- OpenText Named a Leader in Multichannel Capture by Independent Research Firm - <http://on.mktw.net/PXdhpj> (PR Newswire)
- Proofpoint Announces Targeted, Content Collection Solution (Extends eDiscovery / Legal Hold) <http://bit.ly/Qh8XRW> (Press Release)
- Rand Secure Archive to Provide Data Archiving and Retrieval Needs for CME Group - <http://bit.ly/P2Oc9B> (Business Wire)
- Rand Secure Archive Implements Hosted Archiving Solution for Ampersand Capital Partners - <http://bit.ly/PkgPiD> (Business Wire)
- Recommend: Evidence Mounting In The Case For Predictive Coding - <http://bit.ly/Q6HKBd> (Bill Tolson)
- RSD Showcases New Version of RSD GLASS® at ARMA International’s 57th Conference & Expo – <http://bit.ly/Pf1Bvg> (PR Web)
- SFL Data Achieves Relativity Best in Service Recognition for Technical, Customer Service Expertise - <http://yhoo.it/QeTP7r> (PR Web)
- Tarrant County Selects Actiance to Support Growth of Social Business - <http://bit.ly/Q1GoYs> (Press Release)
- Thomson Reuters Adds PDF Output to E-Transcript Manager – <http://bit.ly/Q19pni> (Evan Koblentz)
- What’s New with Summation – (Video) <http://bit.ly/Qh8HCh> (Access Data)
- ZL Announces API to Tap Into Unstructured Big Data - <http://mwne.ws/P6qoBy> (Marketwire)

2012 eDiscovery Events

SEPTEMBER

Conference for Preservation Excellence

September 27-28, 2012

Portland, OR

[Click here for more information.](#)

ACC Annual Meeting

September 30 – October 3, 2012

Orlando, FL (Booth #422)

[Click here for more information.](#)

OCTOBER**Masters Conference 2012**

October 8-10, 2012

Washington, DC

[Click here for more information.](#)

Storage Networking World (SNW)

October 16-19, 2012

Santa Clara, CA

[Click here for more information.](#)

EDRM 2012 – 2013 Mid Year Meeting

October 17-18, 2012

St. Paul, MN

[Click here for more information.](#)

EDI Leadership Summit 2012

October 17 – 19, 2012

Fort Lauderdale, FL

[Click here for more information.](#)

Gartner Symposium/ITxpo

October 21-25, 2012

Orlando, FL

[Click here for more information.](#)

Corporate Compliance & Ethics Forum

October 28-30, 2012

Palm Beach Gardens, FL

[Click here for more information.](#)

eDiscovery for Pharma, Biotech & Medical Device Industry – IQPC

October 29, 2012

Philadelphia, PA

[Click here for more information.](#)

NOVEMBER**eDiscovery for Financial Services & Governmental Investigations**

November 5-6, 2012

New York, NY

[Click here for more information.](#)

e-Discovery & e-Investigations Forum

November 8, 2012

London, United Kingdom

[Click here for more information.](#)

Corporate Litigation Forum

November 11-13, 2012

San Antonio, TX

[Click here for more information.](#)

LawTech Europe Congress

November 12, 2012

Prague, Czech Republic

[Click here for more information.](#)

The Litigation Summit and Exposition

November 12-13, 2012

Washington, DC

[Click here for more information.](#)

The 7th Annual E-Disclosure Forum

November 15, 2012

London, United Kingdom

[Click here for more information.](#)

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

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.](#)

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>.