

CAMP - October 2006 Newsletter



2nd CAMP meeting of the season - 7pm, Wed 10-11-06, GAHS, room 117 (Kristy Ferran's). Bd. of Dir. at 6:15, to which all members are welcome to attend. Sue Westlake is scheduled to present Omniplan; Jeff Frankel will demo Entourage Projects module; Adam will configure CAMP's new Macbook! Raffle and Q+A as usual. Bring money, problems and solutions.

1] Blog danger

2] Smart drives

3] Data Rescue - Jeff Frankel

4] Macs vs Pc's - Macworld article

1] In court, blogs can come back to dog the writers Use as evidence increases

By Sacha Pfeiffer, Boston Globe Staff | September 28, 2006

Two months after being rear-ended by a Cambridge city councilor, Boston lawyer Edward A. Prisby -- infuriated that the politician might have used his connections to avoid a criminal investigation -- turned to his personal blog.

"What a hack," he wrote in an angry rant about councilor Anthony D. Galluccio, who witnesses said appeared drunk after the accident. "I hope the weight of public opinion crushes his political career."

That posting on Prizblog came back to haunt him.

Called later as a witness at a hearing to determine whether there was enough evidence to charge the city councilor with drunken driving, Prisby was confronted with his blog entry by Galluccio's lawyers, who tried to discredit his testimony by arguing that he had a political ax to grind.

"I don't regret anything I wrote, and nothing I wrote was inaccurate," Prisby said in an interview. "But I'm willing to concede that, if read in a certain way and with a certain tone, it hurt my credibility in that room that day."

First came the hard-learned lesson that e-mail can be used as evidence in legal proceedings. Now blogs -- basically, continuous public Internet journals -- are emerging as fair game in civil disputes, criminal cases, and government investigations, where they are used as evidence with growing frequency.

In March, a Plymouth doctor's blog was cited as proof that he

continued to harass a female patient who had secured restraining orders against him. In April, a Maine man was sued for allegedly posting defamatory blog entries in which he criticized an advertising agency's work for the state tourism office. And in a high-profile national case, Apple Computer filed a lawsuit seeking the identities of people who allegedly leaked information about new Apple products to several bloggers.

``Blogs raise the same danger that e-mail raised a long time ago, which is that the informal aspects of them make people feel less cautious when they're writing," said Brigitte M. Duffy, a Boston employment lawyer who represents companies that have searched blogs to investigate allegations made by employees. ``But blogs present an even bigger risk because they're accessible to so many more people and they're so much more searchable."

As a result, ``there's an increasing risk that the government, when it's pursuing a criminal case, is likely to use the Internet as a way of collecting information about defendants," she said.

Blogs are also being cited in a growing number of civil cases, most commonly claims alleging libel, defamation, or invasion of privacy. Unlike e-mail, which usually remains private unless it is forwarded by a recipient, blogs are public by nature unless privacy settings limit their audience. They are also easily findable by Internet search engines, in contrast to e-mails, which lawyers generally can obtain only through the discovery process.

And as long as the identity of the author can be proven -- not always a given, since 55 percent of bloggers use pseudonyms, according to a July report by the Pew Internet & American Life Project -- blogs are typically considered legitimate evidence in court.

With 12 million Americans now writing blogs and 57 million Americans reading them, according to the Pew study, their emergence in lawsuits is likely to grow in prominence, especially as bloggers are increasingly held to the same standards as professional journalists, such as being vulnerable to orders to identify their sources.

“It's no longer the case that you can say something and it will disappear into the ether, especially if you post it online, and looking for electronic information is absolutely standard practice for lawyers now,” said Boston lawyer Ilan N. Barzilay, who frequently handles cases involving electronic issues and computer technologies.

Lawyers have been bringing up blogs in a diverse array of cases. The Apple lawsuit is pending, but a California state appeals court ruled in May that the company could not subpoena bloggers in an effort to determine who leaked news about Apple products. Lynn D. Holdsworth, a Plymouth lawyer for the patient allegedly harassed by Dr. John A. Scorza, whose license to practice medicine was suspended in June 2005, said a judge allowed the doctor's blog entry to be admitted as evidence. The lawsuit against Maine blogger Lance Dutson was dropped.

By maintaining a blog, “it's like you have your own private newspaper or TV network where you can put your thoughts out there for the world, and that's the appeal of it,” Barzilay added. “But your statements can come back and be used against you.”

That was the case for Prisby, 31, a civil litigator who started his blog in March 2005 as an outlet to muse on a range of topics, including football, movies, books, and politics. In December he and two friends were rear-ended about 2 a.m. by Galluccio in the Financial District. He assumed that the Boston police would

investigate the accident. When there had been no action by February, he wrote what he later described as a "pretty angry entry" on his blog in which he described Galluccio as "really drunk." Galluccio later denied the allegations to Channel 5.

His lawyer did not return calls for comment.

"It looks like just another politician with connections," Prisby wrote Feb. 22, noting that Galluccio was running for state Senate. He expressed hope that publicity about the accident would "somehow hinder his political career."

Eventually, however, media reports of the accident surfaced and Boston police launched an investigation, and in April Prisby was a witness at a probable cause hearing. There, one of Galluccio's lawyers, David G. Eisenstadt, produced copies of Prizblog entries and asked Prisby if he had been politically motivated to testify against Galluccio.

Prisby -- who notes that he doesn't live in Galluccio's city and that he, like Galluccio, is a Democrat -- said in the interview that he came forward "because I was just a guy who was rear-ended and was mad that the other guy seemed to be getting away with it."

But Prisby believes his blog entries damaged his reputation as a witness. Ultimately, a Boston court official ruled that there was insufficient evidence to charge Galluccio. That left Prisby wondering whether his blogging had weakened the case.

"Of course I know my blog will be read by other people -- that's the point," Prisby said. "But what I didn't take into account was that a certain tone could be read into my words, and I think when my words were parsed and taken apart and put back together, I came off in the hearing sounding like a mean and vindictive person."

The experience, which Prisby described as surprising and frightening, prompted him to stop blogging for more than two months. In June, he returned as a more thoughtful blogger, he said.

“I think my writing has become a little bit less frivolous and a little bit more careful, and I feel like I'm coming back to it a little wiser,” he said.

“You want to consider before you post anything whether you're willing to stand by it. Admittedly, in this particular instance I did something I would not advise a client to do, which is make a statement about an accident or ongoing investigation. You've got to be very, very careful about that. And the cardinal rule is that if it seems like a bad idea, it probably is.

2]

The Boston Globe

'Smart drives' can make any computer your own

Portable software may be wave of the future for consumers, firms

By Hiawatha Bray, Globe Staff | September 26, 2006

Lots of people own two or three computers. But thanks to a powerful new technology anybody can make any computer their own, just by plugging in a common digital device.

A new product called MojoPac lets iPod users take control of any desktop computer running Microsoft Corp.'s Windows XP operating system.

And major flash memory makers like SanDisk Corp. and Lexar Media Inc. have begun making “smart” thumb drives that let the user carry favorite software programs on the keyring-size devices. When plugged into any Windows-based computer, the smart drive lets the user work on a stranger's computer exactly as if it were his own, with all the same software and settings.

“By the end of 2008, people will install software on their smart drive, and not on their hard drive,” said Kate Purnal, chief executive of U3 LLC in Redwood City, Calif., which markets one of the new smart drives.

If the new technology catches on, companies would have greater flexibility in assigning

computers to employees.

Each machine could contain only an operating system, such as Windows software. All other programs would be loaded onto a smart drive, which the worker would keep at all times and use on any computer in the office.

The smart drive can be equipped with data encryption and password protection, to protect sensitive data in case it is lost.

At home, every family member could build a personalized computing environment on his or her own smart drive, rather than the computer's hard drive. A brother could no longer infect his sister's files with viruses; the family's avid gamer wouldn't accidentally delete the income tax records.

Because smart drives are relatively cheap -- a two-gigabyte drive from SanDisk costs around \$60 -- family members could buy several, and use each for a specialized computing task, from gaming to financial planning.

And forget about snooping on each other. The smart drive technology stores all data in the portable device. When the user unplugs the device, it leaves behind no traces.

Two Israeli companies, Msystems Ltd. and Ceedo Technologies Ltd., independently developed smart drive technology. SanDisk teamed up with Msystems to create a technical standard called U3, while Lexar and Ceedo launched an alternate standard, called PowerToGo.

U3 can't run Windows applications without some modification. The company has worked with software developers to produce dozens of programs that will run on U3 smart drives, including the popular Firefox Internet browser and the free OpenOffice office software suite. But many popular Windows programs still aren't available for U3, including the industry standard Microsoft Office.

Peter Carcione, senior product marketing manager at Lexar, said his company's PowerToGo doesn't need specially tailored software. "We are the only one to run real Windows applications unmodified," he said.

For \$30, users can buy an add-on program called InstallAnything, which emulates the features of a traditional hard drive loaded with Windows. Carcione said this lets Lexar's smart drives support any standard Windows program.

Meanwhile, both Lexar and SanDisk are facing a new competitor. RingCube Technologies Inc.'s new MojoPac system works on thumb drives, or on any other storage device that can plug into a computer's Universal Serial Bus (USB) port. That means it can take advantage of hard drive-based storage devices like the larger Apple iPods, which now come with up to 80 gigabytes of storage.

Joseph Unsworth, principal analyst at Gartner Inc., said that while smart-drive technology is now mainly being targeted at consumers, it could chiefly benefit businesses, by providing a secure technology for connecting portable drives to corporate data networks. He said that companies could equip workers with U3 drives with unique digital fingerprints, which could then be given trusted access to sensitive data.

But Nam Hyung Kim, principal analyst for iSuppli Corp. in El Segundo, Calif., warned that neither consumers nor corporate users understand or trust the smart-drive concept. "It will

be very challenging to educate people," Kim said.

3] Another Success Story - Data Rescue II
Jeff Frankel, CAMP Secretary

"Oh, No - My Photos Disappeared!" So I wrote in the July 2006 CAMP News. That article described the success of my son and me in using Prosoft Engineering's Data Rescue II to resurrect a slew of photos that disappeared from his camera memory card during import into iPhoto.

I am happy to report another happy ending to what would have otherwise been a sad tale of loss and woe. Last month my sister Debbie emailed me the grim outlines of the situation. "Minnie" is Debbie's first-generation iBook:

Hope things are fine up north. This past weekend we went to Strasburg, PA for our 'Day Out With Thomas' adventure. The weekend in general was great; Thomas in particular was good but not great, mainly b/c nap time interfered with a lot of the activities they had..

Anyway, I popped in my card reader to upload all my great pictures from the weekend & Minnie froze. So...I took the card out, turned it off & then back on again. When I put the card back in & clicked to open it, it doesn't show any pictures! It just says "0 items 93.4MB available". I tried running disk repair & it says that it did something, but the card still doesn't show any pictures. The stats on my card via disk repair say:

Mount Point : [/Volumes/NO NAME](#) Capacity : 125.0 MB (131,047,936 Bytes)
Format : MS-DOS File System Available : 93.5 MB (98,009,088 Bytes)
Permissions Enabled : No Used : 31.5 MB (33,030,144 Bytes)
Number of Folders : 0 Number of Files : 256

Does that mean my 256 pictures are in fact there? If so, any idea how I can retrieve them? Or are they permanently vaporized?

I recommended that Debbie download the demo version of Data Rescue II from Prosoft's web site (www.prosofteng.com) and give it a whirl. The results:

It worked! I tried the demo last night & it worked like a charm so I wound up purchasing Picture Rescue from ProSoft. I recovered 25+ pictures & have them on iPhoto. I haven't had a chance to really look at them yet though – that'll hopefully be tonight's project.

(Picture Rescue is a less-expensive version of Data Rescue II that recovers data from camera memory cards only, as opposed to any kind of storage device.)

When I asked Debbie if I could share her emails with CAMP, she added the

following note:

Sure, share away! Tell them too, that it was very, very simple to use. Whatever it does, it's all behind the scenes. When it finishes doing its thing, you're presented w/a window w/all the thumbnails of the pictures it was able to recover. If a picture was too corrupted to create a thumbnail you get a blank in that spot, though the user manual says that you still may be able to recover parts of the image w/something like Photo Shop. Then all you do is select which pictures you want to save & drag & drop them to whatever [folder] you want. Easy as pie (even for me)!

So the next time digital gremlins attack your photos, fight back with Data Rescue III!



"Riding on Thomas - Jeff's sister Debbie and nephew Aaron."

4] Macs vs Pcs - Macworld article link; recommended by Sue Westlake

<http://www.macworld.com/2006/08/features/macproprice/index.php>
