

BOOK REVIEW:

Business and Commercial Litigation



BY ANGELA BALDREE

The fourth edition of *Business and Commercial Litigation in Federal Courts (BCLFC)*, edited by Robert L. Haig, is now available through Thomson Reuters Westlaw. Almost 300 authors, including 27 judges, contributed to this edition.

The previous three editions, published in 1998, 2005 and 2011, have been well received in the legal community. However, substantial changes to law and procedures in the area of business and commercial law over the last five years have prompted this new edition.

The new edition contains significantly more information than the previous edition. What began as

a six-volume set in 1998 has more than doubled to 14 volumes with an additional 25 chapters. Examples of new chapters include "Civil Justice Reform," "Cross-Border Litigation," "Social Media" and "Fashion and Retail."

The chapter entitled "Civil Justice Reform" gives users a look at proposed changes in civil justice, as well as the history of changes. The chapter points out that virtually all parties involved in civil litigation agree that changes need to be made because cases take too long and are extremely costly.

The chapter "Cross-Border Litigation" helps attorneys who are trying international cases or cases with multiple jurisdictions. Attorneys


will receive tips on determining relevant law, selecting a venue and learning about claims and defenses available.

Since social media has become the preferred means of communication, the new chapter entitled "Social Media" is useful for its insights on using social media information as evidence. The chapter also explains how social media posts are being used in jury selection around the country. Similarly, a chapter entitled "Media and Publishing" focuses on strategies, defenses and damage requests for attorneys involved in litigating media and publishing claims.

The "Fashion and Retail" chapter investigates patents and intellectual property laws associated with the fashion industry. Bankruptcy and other relevant issues are also addressed.

Though the new edition of *BCLFC* contains more than double the information of the previous edition, a summary of contents in the first volume and detailed tables of contents at the beginning of each volume enable readers to access the sections they need quickly. Most chapters are divided into multiple sub-chapters with even more sections, but an informative introduction to each chapter

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contains scope notes which clearly lay out what researches will find in that particular chapter. For example, "Aviation" begins with a two-page introduction on aviation law that gives the overall scope of the chapter. The chapter will introduce litigators to the complexities of aviation laws and regulations, assure attorneys that they can admit they are unable to give crash survivors and/or family members adequate counsel, and explain the investigative process of the NTSB and the litigation processes for crashes of either domestic or international flights.

Following the scope, the chapters delve into various areas of litigation. For example, in the "Aviation" chapter, these include strategies for plaintiff's lawyers, issues to raise with clients, causes of action, determination of proper parties, selection of expert witnesses and various defenses of the airline, airport, air traffic control or manufacturer. Chapters then end with practice aids which can include checklists, forms and other practice guides. "Aviation" ends with practice aids that include sample forms for production of documents from the airline, sample interrogatories for the manufacturer and airline, sample complaints and sample jury instructions.

Throughout *BCLFC*, the authors point out the relationships between rules of procedure and substantive law when possible and outline tactics for representing both plaintiffs and defendants. In addition to being a beneficial resource, it is an "idea" book full of insight and perspective that only its authors can share. In addition, a CD-ROM is included that contains jury instructions, forms and checklists.

Following the fourteen volumes is a paperback Volume Fifteen, which serves as the table of cases

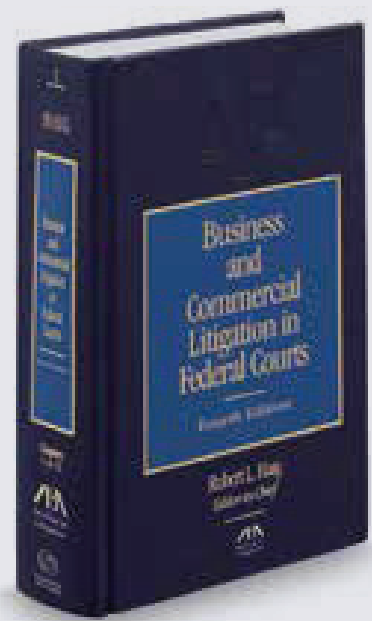
and index. The publishers plan on updating this volume annually so users have access to the latest information.

Overall, *Business and Commercial Litigation in Federal Courts* is a resource that commercial litigators should consider for their private libraries. According to the authors, no other publication on commercial litigation in federal courts is available, making this a valuable resource. The 153 chapters are laid out in an orderly fashion so researchers can easily find the exact area of law they are interested in. Each chapter is full of valuable information, arranged logically with easy-to-understand language.

This latest edition of *BCLFC* is available at the Franklin County Law Library, thanks to the generous donation of the Columbus Bar Association.

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