



# KEY POINTS

A LEGAL RESEARCH NEWSLETTER FOR  
FEDERAL GOVERNMENT FROM WEST

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## THE ENTIRE LIFE OF A STATUTE, AT A GLANCE

**Graphical Statutes®** helps you spot the big moments in a statute's life—and retrieve documents right from those big moments.

It's easy to pull a particular statute off the shelf. But what if you need to retrieve all versions of the statute and all legislative history documents (for each version) and then try to understand where the law has been and where it's going?

With Graphical Statutes, that's easy, too.

Graphical Statutes shows you the entire life of the statute in one easy-to-read display, allowing you to quickly see how the statute evolved. At key points in the timeline, links are provided to documents such as the following:

- enacting or amending laws, including prior, current, and proposed versions of the statute
- bill drafts, presidential messages, congressional testimony, and other interpretative aids
- cases that have negatively affected the validity of the statute

The information, links, and KeyCite® status flags in the display are as current as Westlaw®

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### Beware of Dogma

*"Give a bad dogma a good name and its bite may become as bad as its bark."*

—Judge Jerome Frank in *Kulukundis Shipping Co. v. Amtorg Trading Corp.*, 126 F.2d 978 (2nd Cir. 1942).

The timeline displays effective dates.

26 U.S.C.A. § 167  
Current: I.R.C. § 167

KeyCite History | List of Versions | Coverage | Text View

Dec. 21, 2005 to May 16, 2006	May 17, 2006 to Dec. 19, 2007	Dec. 20, 2007 to Dec. 28, 2007	Dec. 29, 2007 to Current
<b>Prior Text</b> 26 U.S.C.A. § 167 § 167. Depreciation	<b>Prior Text</b> 26 U.S.C.A. § 167 § 167. Depreciation	<b>Prior Text</b> 26 U.S.C.A. § 167 § 167. Depreciation	<b>Current Text</b> 26 U.S.C.A. § 167 § 167. Depreciation
<b>Public Law</b> Pub.L. 109-135, Title V, § 412(r)	<b>Public Law</b> Pub.L. 109-222, Title I, § 207(a), Title V, § 503(a)	<b>Public Law</b> Pub.L. 110-140, Title XV, § 1502(a)	<b>Public Law</b> Pub.L. 110-172
<b>Bill Drafts</b> 2005 CONG US HR 4440, 109th CONGRESS, 1st Session H. R. REP. 4440 Dec. 19, 2005 2005 CONG US HR 4440, 109th CONGRESS, 1st Session H. R. 4440 Dec. 13, 2005 more	<b>Bill Drafts</b> 2005 CONG US HR 4297, 109th CONGRESS, 2d Session In the Senate of the United States, Feb. 2, 2006 2005 CONG US HR 4297, 109th CONGRESS, 2d Session H. R. 4297 Jan. 1, 2006 more	<b>Bill Drafts</b> 2007 CONG US HR 6, 110th CONGRESS, 1st Session HR 6 EA52 Dec. 17, 2007 2007 CONG US HR 6, 110th CONGRESS, 1st Session HR 6 Dec. 10, 2007 more	<b>Bill Drafts</b> 2007 CONG US HR 4839, 110th CONGRESS, 1st Session HR 4839 Dec. 26, 2007 2007 CONG US HR 4839, 110th CONGRESS, 1st Session HR 4839 Dec. 20, 2007 more
<b>Presidential Msg.</b> December 21, 2005 PRESIDENT SIGNS H.R. 4440, THE GULF OPPORTUNITY...	<b>Reports</b> H.R. REP. 109-458 WAIVING POINTS OF	<b>Reports</b> GAO 08-922 PLANNED INVESTMENT IN NAVY PROGRAM TO... Sep. 8, 2008 H.R. REP. 110-498	<b>Proposed Legislation</b> 2009 CONG US S 1087 111th CONGRESS, 1st Session May 20, 2009 2009 CONG US S 298 111th CONGRESS, 1st Session Jan. 22, 2009 <b>Cong. Record</b> 154 Cong. Rec. 158-91 NEW PUBLIC LAWS Jan. 29, 2008 154 Cong. Rec.

Graphical Statutes



## SEARCHING FOR COURT OF APPEALS DECISIONS: EASIER THAN YOU THINK!

### There are many ways to retrieve decisions of the U.S. courts of appeals—indispensable authority for all types of legal research.

When you need controlling authority, you're likely to get it from the U.S. courts of appeals—where the bulk of federal appellate decision-making occurs. "Because relatively few courts of appeals decisions are reviewed in the Supreme Court, with rare exception, the federal circuit courts provide the functional equivalent of that Court's proverbial 'last word.'" Maxwell L. Stearns, *Appellate Courts Inside and Out*, 101 Mich. L. Rev. 1764–65 (2003).

There are more than 900,000 reported and unreported U.S. courts of appeals decisions on Westlaw, beginning with 1891.

#### Which databases are available?

You can search the whole collection simultaneously, or you can search a U.S. courts of appeals case law database restricted to reported or unreported cases beginning with 1945, to cases decided prior to 1945, or to cases in a specific circuit or practice area. Representative databases include the following:

- **U.S. Courts of Appeals Cases (CTA):** Cases from the federal appellate courts. Coverage begins with 1891. For pre-1945 cases only, search the CTA-OLD database.
- **U.S. Courts of Appeals Cases, Reported (CTAR):** Reported cases from the federal appellate courts. Coverage begins with 1945.
- **U.S. Courts of Appeals Cases, Unreported (CTAU):** Unreported cases from the federal appellate courts. Coverage begins with 1945.
- **U.S. Court of Appeals for the Ninth Circuit Cases (CTA9):** Cases from the federal appellate courts authoritative in the Ninth Circuit. Coverage begins with 1891.
- **Federal Taxation—Courts of Appeals Cases (FTX-CTA):** Cases from the federal appellate courts that relate to taxation by federal, state, or local governments. Coverage begins with 1891.

To see a complete list of courts of appeals databases, consult the Westlaw Directory.

#### How do I search for cases that discuss a specific legal issue?

You can search any of these databases using the Terms and Connectors or the Natural Language search method. If you use the Terms and Connectors search method, you can restrict your search by topic—and exclude irrelevant documents that mention your terms in passing—by searching the synopsis (sy) and digest (di) fields for terms central to your issue, e.g., `sy,di("personal jurisdiction" /p internet e-mail web-site)`.

#### Are there other ways to retrieve case law dealing with my issue?

Westlaw offers a variety of "back door" methods for retrieving relevant U.S. courts of appeals decisions. In the right situation, one of these methods may be much quicker than searching a database.

**Search for Key Numbers tool:** This is an easy way to retrieve cases assigned to a relevant West topic and key number. Click **Key Numbers** at the top of any Westlaw page. In the *Search for Key Numbers* text box, type a short description of your issue in plain English,

**H** **Internet Solutions Corp. v. Marshall**  
557 F.3d 1293  
C.A.11 (Fla.), 2009.  
February 10, 2009 (Approx. 5 pages)

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[8] [KeyCite Citing References for this Headnote](#)

◀ [170B](#) Federal Courts  
    ◀ [170BVI](#) State Laws as Rules of Decision  
        ◀ [170BVI\(B\)](#) Decisions of State Courts as Authority  
            ◀ [170Bk388](#) Federal Decision Prior to State Decision  
                ◀ [170Bk392](#) k. Withholding Decision; Certifying Questions. [Most Cited Cases](#)

Question whether posting of allegedly defamatory stories and comments about company with its principal place of business in Florida on non-commercial **website** owned and operated by nonresident with no other connections to Florida constituted electronic communications in Florida, subjecting owner of that **website** to **personal jurisdiction** in Florida under Florida's long-arm statute, would be certified to Supreme Court of Florida. [West's F.S.A. § 48.193](#)(1)(b).

\*1294

Headnote in U.S. court of appeals opinion



e.g., is asbestos contamination covered by cercla. If necessary, click **Change Jurisdiction** and use the check boxes provided to change the jurisdiction to U.S. courts of appeals. Click **Search**; a list of key numbers potentially relevant to your issue is displayed. Click a key number to retrieve jurisdiction-specific headnotes classified under that key number.

**KeySearch®:** With KeySearch, an expert-level query is supplied and run for you. Click **Key Numbers** at the top of any Westlaw page, then click **KeySearch**. To use KeySearch, simply click topics and subtopics in the intuitive display until the KeySearch search page is displayed, then select a jurisdiction, and click **Search**.

**KeyCite citing references:** If you need U.S. courts of appeals cases that cite a specific statute or regulation, start by retrieving the statute or regulation. Then click **Citing References** on the Links tab. A list of cases and other citing references is displayed.

To limit the display to U.S. courts of appeals cases, click **Limit KeyCite Display** at the bottom of the KeyCite citing references result. The KeyCite Limits page is displayed. Click **Document Type** in the left frame if it is not already selected, and then clear all check boxes in the right frame except the **Other courts** check box. Click **Jurisdiction** in the left frame, and then use the check boxes to select one or more U.S. courts of appeals (if available). Click **Apply** in the left frame.

KeyCite

15 U.S.C.A. § 78u-1  
§ 78u-1. Civil penalties for insider trading  
Effective: July 30, 2002

Citing References: limited to First Circuit Ct. App., Second Circuit Ct. App., Third Circuit Ct. App., Fifth Circuit Ct. App.,....  
(Showing 18 of 1173 documents)

Citations From U.S.C.A. (U.S.A.)

SELECT TO PRINT, EMAIL, ETC.

4. Amount of penalty

H 1 S.E.C. v. Johnson, 174 Fed.Appx. 111, 113 (3rd Cir.(N.J.) Apr 05, 2006) (Table, text in WESTLAW, NO. 04-4114) (Table, text in WESTLAW)

Citing Cases (U.S.A.)

H 2 S.E.C. v. Happ, 392 F.3d 12, 16+ (1st Cir.(Mass.) Dec 10, 2004) (NO. 04-1406, 04-1461)

P 2 S.E.C. v. Sargent, 329 F.3d 34, 38 (1st Cir.(Mass.) May 15, 2003) (NO. 02-1672)

P 4 S.E.C. v. Sargent, 229 F.3d 68, 71 (1st Cir.(Mass.) Oct 11, 2000) (NO. 00-1293)

H 5 S.E.C. v. Mayhew, 121 F.3d 44, 47+ (2nd Cir.(Conn.) Jul 29, 1997) (NO. 220, 96-6092, 221, 96-6022)

P 6 S.E.C. v. Patel, 61 F.3d 137, 139 (2nd Cir.(N.Y.) Jul 24, 1995) (NO. 94-6218, 1160)

P 7 U.S. v. Chestman, 947 F.2d 551, 560+ (2nd Cir.(N.Y.) Oct 07, 1991) (NO. 309, 89-1276)

P 8 Ceres Partners v. GEL Associates, 918 F.2d 349, 363 (2nd Cir.(N.Y.) Nov 08, 1990) (NO. 390, 89-7666)

P 9 S.E.C. v. Unifund SAL, 910 F.2d 1028, 1041 (2nd Cir.(N.Y.) Aug 03, 1990) (NO. 1308, 1430, 90-6091, 1318, 90-6093, 90-6103, 1319, 90-6057)

H 10 U.S. ex rel. Merena v. Smithkline Beecham Corp., 205 F.3d 97, 103 (3rd Cir.(Pa.) Feb 29, 2000) (NO. 98-1497, 98-1498, 98-1499)

List of KeyCite citing references restricted to U.S. courts of appeals decisions

**Links in secondary sources:** A law review article, legal newspaper, treatise, practice guide, or forms collection on your issue is likely to contain links to related cases, statutes, and other authorities. Click a link for a cited source to display its full text.

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Graphical Statutes is currently available for the United States Code Annotated database (USCA) and for databases containing the annotated statutes of California, Florida, Illinois, Massachusetts, New Jersey, New York, Pennsylvania, and Texas.

### How it works

To access Graphical Statutes, click **Graphical Statutes** on the Links tab when viewing a statute in split-page view or at the top of the page when viewing it in full-page view. The Graphical Statutes timeline is displayed.

The timeline is organized by effective date and tracks prior, current, and proposed versions of the statute. To navigate backward and forward in the Graphical Statutes timeline, click the left and right arrows in the timeline. If legislative history documents are too numerous to fit in the initial display, some of the documents are hidden; click **more** to view these documents.

To display a cited document, click its link. To display KeyCite history when a KeyCite flag is available, click the flag.



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