



# KEY POINTS

A LEGAL RESEARCH NEWSLETTER FOR  
FEDERAL GOVERNMENT FROM WEST

Volume 27, Number 4  
May 2009

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## The Smell Test

*"To be clearly erroneous, a decision must ...  
strike us as wrong with the force of a five-  
week-old, unrefrigerated dead fish."*

—*Parts and Electric Motors, Inc. v. Sterling Electric, Inc.*,  
866 F.2d 228, 233 (7th Cir. 1988)

## A LIST WITH MUSCLE

The result list helps you determine which documents are worth reading—before you read them.

A Westlaw® search typically brings you two things of value:

- retrieved documents
- a result list of the retrieved documents

Yes, the result list *itself* is valuable. That's because a result list helps you browse your search result (i.e., you can view selected items rather than viewing the documents in order) and because it can be printed or saved for use in future research sessions.

Even better, in most databases on Westlaw, the result list shows not just the bare-bones citation components but also the text surrounding your search terms. (To hide the terms and surrounding text in your result list, use the *Result Options* drop-down list in the lower right corner of the result list or on the Result List tab next to a displayed document.)

As a result, you can tell at a glance which documents are worth your time.

### How to print or save a result list

You can download your result list; save it on Westlaw; or deliver it to a printer, fax machine, or e-mail address. Here's an easy way to download, deliver, or save your result list:

1. Click the appropriate delivery icon in the upper-right corner of the result list.
2. In the dialog box that is displayed, select **Result List (All)**.
3. Click **Print**, **Save**, or **Send**, depending on the delivery icon you selected.

The screenshot shows a search interface with the following elements:

- Edit Search:** "minimum contacts" /s e-mail "electronic mail"
- Database:** dt
- SEARCH** and **Locate in Result** buttons
- Results:** 89 Documents [Add Search to WestClip](#)
- Add Related Terms:** "personal jurisdiction" "in-personam" "long arm" "pendent jurisdiction" "general jurisdiction" "specific jurisdiction" "subject matter jurisdiction" (Select all)
- SELECT TO PRINT, EMAIL, ETC.** (icon)
- 1. Exhibit Icons, LLC v. XP Companies, LLC.**
  - Sip Copy, 2009 WL 606794, S.D. Fla., March 26, 2009 (NO. 07-80824-CIV)
  - ...S.Ct. 2174, 85 L.Ed.2d 528 (1985) Here, Plaintiffs rely on the communications and negotiations by this Defendant via telephone, **email** and facsimile to Florida to establish the necessary **minimum contacts**. Defendant does not present any evidence to refute Plaintiffs' contention that these numerous communications, including 188 telephone calls made by...
  - ...intended to run for approximately five years. Moreover, the Court does not read Harcourt as holding that telephone calls and **emails** are categorically insufficient to establish **minimum contacts**. Defendant also points to Borg-Warner Acceptance Corp. v. Lovett & Tharpe, Inc., 786 F.2d 1055 (11th Cir.1986) and.....
- 2. Fze v. Buchan.**
  - F Supp 2d ----, 2009 WL 662647, D Nev., March 16, 2009 (NO. 2:07-CV-01178-PMP-PA)
  - ...1708II(A) In General 1708k 86 k. Aliens or Alien Corporations. United Arab Emirates (UAE) company and its directors lacked **minimum contacts** with Nevada to support specific jurisdiction, under due process requirements, in suit by Kuwaiti corporation and its wholly-owned UAE...
  - ...United Kingdom, where UAE company and directors had not purposefully availed themselves of privilege of conducting activities in Nevada by **e-mail** exchanges that ultimately did not result in completed contractual arrangement with Nevada resident, and had not purposefully directed their activities....

Result list



## INDUSTRY NEWS SEARCHING: GETTING DOWN TO BUSINESS

### Here's how to focus your search for industry news—and even have the search run automatically.

Suppose you want recent articles that discuss a particular industry, e.g., the glass industry. If you were to search for the word glass, you could retrieve articles that contain the name Stephen Glass or the phrase *glass house* (or that otherwise mention glass only in passing).

Is there a way out?

If you use Westlaw, there are at least two ways out:

- You can add an industry field (ind) restriction to your query.
- You can use the Limit Your Search Using SmartTerms feature.

#### Industry field

At the bottom of the typical document retrieved from a NewsRoom™ database, e.g., the New York Times database (NYT), is the index field. The index field is

made up of the industry field, the geographic (region) field, and other fields that contain terms related to the document.

In the industry field, you find terms and index codes that correspond to industries referenced in the document. The industry field helps ensure that you don't miss relevant articles that use only company names or alternative terms.

In addition, the industry field helps you narrow your search result to relevant documents.

For example, to retrieve articles, wire stories, and other news documents pertaining to the glass industry, access the All News Plus Wires database (ALLNEWSPLUS). Then add an industry field restriction to your query, e.g., **ind(glass)**.

The industry code can help you further restrict your search by industry. For example, to retrieve documents that discuss only the industrial glass industry, search for the index code 1IN89 in the industry field: **ind(1in89)**.

```
----- INDEX REFERENCES -----  
  
COMPANY: NIPPON SHEET GLASS CO LTD; SAINT GOBAIN  
  
NEWS SUBJECT: (Antitrust Regulatory (1AN52); World Organizations (1IN77); European Union (1EU94);  
Prices (1PR65); EU News (1EU58); Monopolies (1MO68); Economic Indicators (1EC19); Economics &  
Trade (1EC26); Benelux (1BE50))  
  
INDUSTRY: (Insurance (1IN97); Financial Services Regulatory (1FI03); Construction Regulatory  
(1CO33); Manufacturing (1MA74); Building Materials (1BU25); Aggregates, Concrete & Cement  
(1AG30); Insurance Regulatory (1IN40); Industrial Glass (1IN89); Commercial Property & Casualty  
Insurance (1CO35); Financial Services (1FI37); Property & Casualty Insurance (1PR21); Glass (1GL29);  
Marine Insurance (1MA56); Construction (1CO11))  
  
REGION: (Far East (1FA27); Europe (1EU83); France (1FR23); Eastern Asia (1EA61); Asia (1AS61);  
Belgium (1BE51); Luxembourg (1LU87); Western Europe (1WE41); Japan (1JA96))  
  
Language: EN  
  
OTHER INDEXING: (ANTITRUST; CONTINENT; EUROPEAN COMMISSION; EUROPEAN UNION; NIPPON  
SHEET GLASS; PHOTOGRAPH; SAINT GOBAIN) (HeidelbergCement; Joshua; Julian Joshua; Kroes; Neelie  
Kroes; Perceptions; Pilkington; SASCHA SCHUERMANN; Soliver)  
  
EDITION: Late Edition - Final  
  
Word Count: 908  
11/13/08 NYT B7  
END OF DOCUMENT
```

Industry field in document retrieved from New York Times database (NYT)



**Search**

**Selected Databases**  
New York Times, The (NYT) 6/1980 - Present, Fulltext: [Retrieve Most Recent](#) ⓘ

**Terms and Connectors** [Natural Language](#) [Template](#)

Search:  [Search Westlaw](#)  
[Thesaurus](#)  
[Term Frequency](#)  
[Case-sensitive Searching](#)  
[Word Count Search](#)

Recent Searches & Locates

Dates:

Fields:

Search only the headlines and lead paragraphs  
 Identify duplicate documents

**Limit Your Search using SmartTerms** ⓘ

**Industry** [Company](#) [Subject](#) [Location](#)

Contains

**Smart Terms - Industry**  Scan Results

Glass  
 Glass Containers  
 Glassware  
 Industrial Glass  
 Sunglasses  
 Window Glass

**Industry** [Delete](#)  
Glass Or Glass Containers Or Industrial Glass

[Add Connectors or Expanders](#) [Help](#)

#### Limit Your Search using SmartTerms feature

#### Limit Your Search Using SmartTerms feature

At the Search page of any NewsRoom database is the Limit Your Search Using SmartTerms feature, which makes it easy to focus your search using subject, company, and industry names used in NewsRoom indexing.

To use this feature to search for industry-specific documents, complete these steps:

1. Select the Terms and Connectors search method if it is not already selected.
2. Click the **Industry** tab.
3. Choose **Begins With**, **Contains**, or **Exact Phrase** from the drop-down list and type a search term in the text box following it. Then click **Scan**.
4. Select the check box next to one or more industry names. Click the right arrow to add these industry names to your search. Click **Search Westlaw**.

#### Use WestClip® with SmartTerms to monitor an industry

If you want to monitor the news about a particular industry, SmartTerms can help you create a focused WestClip entry. Whenever a news document with a specific SmartTerms category is added to Westlaw, you are notified automatically.

Follow these steps:

1. Click **Alert Center** at the top of any Westlaw page. The Alert Center Directory is displayed.
2. Click **Create** in the *WestClip* section. The WestClip: Create Entry page is displayed.
3. Type a database identifier and a name for the entry. Click **Limit Your News Search using SmartTerms** to display the Limit Your Search Using SmartTerms feature.
4. Select your Smart Terms as described above. Click **Save**.



## ADVANCED SEARCH TIP

### Westlaw Thesaurus: Brainstorming Tool

Let the Westlaw thesaurus bring you the alternative terms you need for a thorough Westlaw search.

Suppose you are composing a Westlaw query pertaining to the taxation of S corporations and you want to find as many synonyms and related terms as you can for the term S corporation. Where would you look?

Hint: Not *Roget's*.

Instead, try this: Access a database on Westlaw, type "**s corporation**" in the *Search* text box, and click **Thesaurus**. A list of 39 synonyms and related terms is displayed, ripe for cherry-picking.

The Westlaw thesaurus provides synonyms, and related terms for the terms you use in a Terms and Connectors query or Natural Language description. The thesaurus

makes it easy to add several related terms to your query or description, minimizing the risk of missing an important document.

In addition, the Westlaw thesaurus contains a collection of thousands of tax-specific and insurance-specific words, phrases, and citations you can use as search terms. For the term *depreciation*, for instance, the thesaurus instantly identifies more than 80 related tax terms, including *depletion*, *IRC 173*, *straight-line recovery of intangibles*, and *Form 4562*.

To add related terms to your query or description, type your query or description at the Search page (place phrases in quotation marks) and click *Thesaurus*. Select a term in the *Terms in Search* list box, then select a term on the *Related Terms* list box, and click **Add**.

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