

## Book Review

# Business and Commercial Litigation in Federal Courts (Second Edition)

By Jenna P. Wright

The second edition of the critically acclaimed treatise *Business and Commercial Litigation in Federal Courts* is available from Thomson West. The First Edition of the treatise, published in 1998 by the West Group and the ABA Section of Litigation, was quickly recognized to be the most comprehensive and practical reference work in this area of the law.

The Second Edition of this eight-volume treatise, with 16 new chapters, provides a concise overview of almost every area of federal court commercial litigation practice.

Topics range from basic federal procedure (e.g., removal to federal court, joinder, consolidation and severance), to discovery and trial techniques (e.g., depositions, interrogatories, expert witnesses, cross-examination), to substantive areas of law (e.g., commercial real estate, franchising; securities; trademark).

The treatise also offers practical guidance and instruction in areas like case evaluation and litigation management by law firms.

The treatise reflects the knowledge, skill and insights of approximately 200 distinguished contribu-

tors. Sixteen chapters (e.g., Summary Judgment; Jury Conduct, Instructions and Verdicts) are written by federal judges, while others are written by many of the finest litigators in the nation.

A few members of the Dallas Bar Association are among the contributors, including **John H. McElhaney** and **Vincent J. Hess** (costs and disbursements), **Judge Barbara M. G. Lynn**, **James E. Coleman Jr.** and **David S. Coale** (requests for admissions) and **Barry F. McNeil** and **Noel M. B. Hensley** (expert witnesses).

The second edition of the treatise, with Robert L. Haig, of Kelley Drye & Warren LLP, as editor-in-chief, excels in providing a big picture discussion on almost every area

of substantive and procedural law. It is ideal for the practitioner or in-house attorney seeking to understand an unfamiliar area of law with practice pointers included. For lawyers seeking more information, the chapters contain research references to West's Key Number Digest, the A.L.R. library, and many other sources.

The presentations of the substantive law and strategy germane to the substantive topics common in federal commercial litigation — e.g., anti-

trust, securities, insurance, banking, patents, ERISA and agency, to name a few — are matters that confront not only the attorney engaged in a particular specialized practice area, but also the individual practitioner who may be called upon to give advice on short notice.

More than 500 pages of essential litigation forms and jury charges are in print and on a CD-ROM that is included with the set. The treatise contains client counseling sections, procedural and practice checklists, checklists of essential allegations and defenses, sources of proof, jury instructions, and citations to leading authorities on every topic addressed.

According to DBA Past President **Tim Mountz**, the second edition of the treatise is a “must-have” resource for the library of attorneys practicing commercial litigation in federal court.

“The treatise reminds me of Dorsaneo’s *Texas Litigation Guide* in terms of its usefulness, with checklists and forms throughout the treatise. The

CD-ROM also contains an impressive amount of information regarding jury instructions, form pleadings, and other practice aids,” Mr. Mountz noted.

The treatise has very clearly been written by and for practitioners and focuses on the legal and business issues commercial litigators encounter routinely. With succinct summaries of substantive and procedural law, insightful discussions of strategy for plaintiffs and defendants, and an infusion of practice aids, *Business and Commercial Litigation in Federal Courts (2nd ed.)* is a resource that practitioners in federal court will find extremely useful. **HN**



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