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products and services, check out

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Welcome to the most dynamic research method available –
*lexis.com*sm.

You only need to know one address to access the extensive data
warehouse of the *lexis.com* service:

www.lexis.com/lawschool (for school students)

or

www.lexis.com (for legal professionals)

The *lexis.com* service allows you to conduct research quickly
and easily in an impressive variety of sources including case law,
statutes, and the world's leading news and business sources.
Search, browse and deliver the documents that guarantee you
timely, comprehensive research.

Think of Learning *lexis.com* as a reliable roadmap. Use this book
to guide you, helping you to reach your destination; successful
retrieval of the information that fulfills your research requirements.
In addition to general search strategy instructions, Learning
lexis.com offers how-to search recommendations, streamlining
your research efforts to minimize the time you spend finding the
data you need.

As comprehensive as this book is, there are additional reference
materials available to you. Contact your LEXIS Publishing™
account manager for supplemental learning resources.

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Please note:

All screen representations in this book were accurate at the time this book went to press. Due to our continuing efforts to improve, there may be cosmetic changes to the screens when you access *lexis.com*; however functionality will remain the same.

Signing on to *lexis.com*sm

You can access the *lexis.com* research service on the Web with an Internet browser and a *lexis.com* ID – no software is needed.

Note: If you have installed the LEXIS®-NEXIS® Internet Dialer, you will be automatically taken to the *lexis.com* site.

For law school students

1. Establish an Internet connection and enter the address:

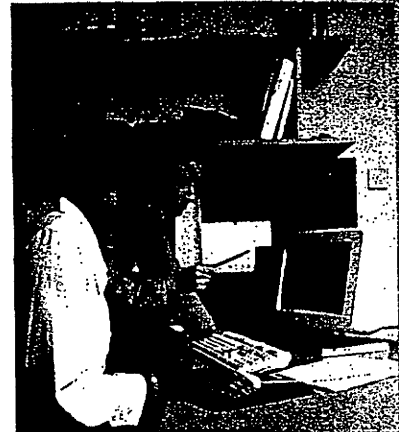
www.lexis.com/lawschool

2. At the *lexis.com* law school site, click "Research" to link to the *lexis.com* research service.

The next screen you see is the sign-on box.

Type your *lexis.com* ID and click "Sign-On."

3. Click on a tab at the top of the screen to select a research option: "Search," "Search Advisor," "Check a Citation," or "Get a Document." (See page 4.)



lexis.comsm

Sign On

LEXIS-NEXIS ID:

Password:

Security: ☐ Use a secure connection. [More Info](#)

☐ Remember my User ID and Password. [More Info](#)

Access to *lexis.com* is subject to [Terms and Conditions](#)

Type your ID

Type your last name



For legal professionals

1. Establish an Internet connection and enter the address:

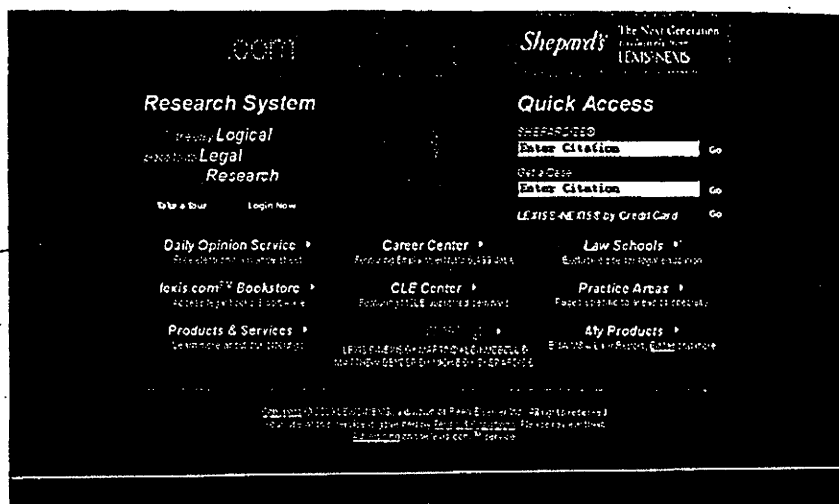
www.lexis.com

2. The next screen you see is the login screen.
Click "Login."

At the next screen, type your *lexis.com* ID and password (your last name) and click "Sign-on."

3. Click on a tab at the top of the screen to select a research option: "Search," "Search Advisor," "Check a Citation" or "Get a Document." (See page 4.)

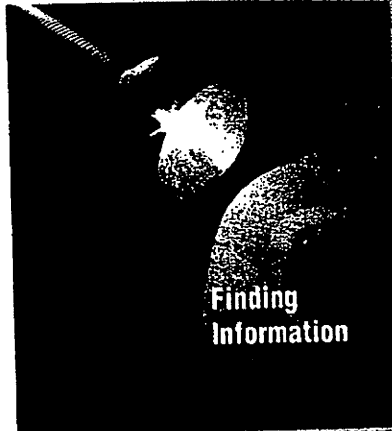
Click Login



Select a source

You have several options for selecting a source. You can:

- choose a source from the list of sources you recently used;
- find a source by specifying the name of the source;
- explore sources through the source hierarchy;
- use the LEXIS® Search Advisor (a source selection tool for area-of-law case finding).



- a Choose a source recently used
- b Find a Source
- c Explore Sources
- d LEXIS Search Advisor

Choose a Recent Source

Choose from My Last 20 Sources – Click on the down arrow to the right of this field to display a list of the sources you have used recently.

To select from this list, highlight a source and click “Go” to the right of this field.

Look for a Source

Find a Source

When you know the Long Name

1. Type the formal name (a.k.a. long name) of the source (e.g., Federal Courts, Federal Register, New York Times, Ohio State Law Journal) in the open field.
2. Make sure that Long Names (e.g., Federal Courts) is selected.
3. Click “Find.”
4. Click on your selection from the list of choices found.

When you know the Short Name

1. If you are familiar with the "classic" LEXIS library and file structure, type the library and file name (a.k.a. short name) of the source (e.g., GENFED;USAPP for the General Federal library and the United States Appellate Courts file) in the open field.
2. Make sure that Short Names (e.g., GENFED;COURTS) is selected.
3. Click "Find."

Explore Sources

Exploring sources is useful when you're unsure of the ultimate source you want to use for your research. As the name of the method implies, you explore by pointing and clicking through the source hierarchy until you reach the source you want. Each selection you make by clicking on the source name takes you deeper into the source hierarchy and a "trail" of your selection displays. A "trail" may look like this:

Combined Federal & State Case Law - U.S.: All Courts - By State: CA Federal & State Cases

Click on the source name to choose and advance through the hierarchy. To retrace your selection steps, click on the Back arrow button on your browser bar.

At this point you have selected a source for your research and you are ready to use the Search Terms Form. Go to page 8 for instructions on completing the Search Terms Form.

LEXIS Search Advisor for Area-of-Law Research

LEXIS Search Advisor is a research tool designed to help you find cases and other resources within a specific area of law. To use Search Advisor, simply select a topic from the legal hierarchy and then launch your search. If you wish, the *lexis.com* service will help build your search by suggesting terms of fact and law commonly associated with each topic.

To use Search Advisor, click "Search Advisor" at the top of the home screen and select Choose From My Last 20 Legal Topics, Find a Legal Topic or Explore Legal Topics.

Choose a legal topic from the dropdown list.

To Find a Legal Topic, type your legal topic here.

Explore Legal Topics through topic and subtopic hierarchy.

Legal Topics

Need help starting your research? LEXIS® Search Advisor is a finding tool for legal materials based on areas of law and related legal topics. It can help target your legal issue, identify an appropriate source, and formulate your search request. [Show](#)

Choose From My Last 20 Legal Topics [Help](#)

Fair Use Defense (Copyright Law: Infringement) [Go](#)

Look for a Legal Topic [Help](#)

Option 1: Find a Legal Topic

Type in your research issue as an individual term, phrase, list or sentence. Enclose phrases in quotation marks. [Find](#)

Option 2: Explore Legal Topics

- ☐ Administrative Law
Agency Rulemaking, Government Information, Judicial Review, ...
- ☐ Immigration Law
Admission, Nonimmigrants, Immigrants, ...
- ☐ Admiralty Law
- ☐ Insurance Law

Find a Legal Topic

How to use: Type a legal topic in the field and click "Find."

For example: Type *fair use* in the open field and click "Find."

Explore Legal Topics

1. Point and click through the topic and subtopics to explore and select the topic you want.

lexis.com
Search Advisor (Get a Document) (Check a Citation)
Legal Topics

All Topics : Copyright Law - (search for documents in this area of law) [Help](#)

Look for a Legal Topic
Option 1: Find a Legal Topic

Find

Type in your research issue as an individual term, phrase, list or sentence. Enclose phrases in quotation marks.

Option 2: Explore Legal Topics

☐ Constitutional Framework	Duration & Renewal of Copyright
☐ Subject Matter	Copyrights Restored From the Public Domain
☐ Derivative & Collective Works	Assignments, Licenses & Transfers of Rights
Publication	Statutory Termination of Transfers & Nonexclusive Licenses
☐ Ownership	Infringement
☐ Formalities	Criminal Actions
☐ Rights	Foreign & International Copyright

Subject Id: 00000719

LEXIS®
Search Advisor
 for area-of-law
 research

Once you have selected a topic, the Search Advisor screen will appear.

Search **Search Advisor** (Get a Document) (Check a Citation)
Legal Topics

All Topics : Copyright Law : **Infringement** : Fair Use Defense [Help](#)

Option 1: Link to "Fair Use Defense" in Analytical Materials
Nimmer on Copyright **Law Reviews** **Legal News**

Option 2: Search for "Fair Use Defense" in Caselaw [Help](#)

Select Jurisdiction

☒ Terms and Connectors ☐ Natural Language **Search**

Use connectors to show relation of terms (cat or feline, jane w/3 doe) [more...](#)

☒ Suggest Words and Concepts for Fair Use Defense
☒ Suggest Words and Concepts for Entered Terms
☒ Restrict Search Using Document Segments

Optional: Restrict by Date
☒ No Date Restrictions ☐ From To

2. To complete your search, type or select the appropriate information in the fields of the Search Advisor template.

lexis.com™ Change Client Options Feedback Sign Off Help

Search Search Advisor Get Document Check Citation ECLIPSE History

Legal Topics

All Topics : Copyright Law : Infringement : Fair Use Defense

h Option 1: Link to "Fair Use Defense" in Analytical Materials Help

Nimmer on Copyright Law Reviews Legal News

Option 2: Search for "Fair Use Defense" in Caselaw Help

Select Jurisdiction **a**

b Terms and Connectors Natural Language

pop! w/3 music or song **c** Search

Use connectors to show relation of terms (cat or feline, jane w/3 doe) more...

d + Suggest Words and Concepts for Fair Use Defense

+ Suggest Words and Concepts for Entered Terms **e**

f + Restrict Search Using Document Segments

Optional: Restrict by Date

g No Date Restrictions From To

- a** Select a jurisdiction from the dropdown menu by clicking on the down arrow to the right of the field.
- b** Select Terms and Connectors or Natural Language depending on the type of research format you want to use.
- c** Type your search terms in the open field.
- d** Add suggested words and concepts for your selected subtopic (optional).
- e** Add suggested words and concepts for the terms you entered in the open field (optional).
- f** Restrict the search by specifying applicable segments (optional).
- g** Specify no date restriction, or enter a date restriction either by clicking on the dropdown list and selecting, or specifying your own restriction by typing in your beginning date and ending date in the From and To fields.
- h** Link to Secondary Sources such as Legal News, Matthew Bender® Treatises, and Law Review Articles.

3. Click "Search" to process your search request.

When documents are retrieved with your search request, you can:

- Click on the case name of a retrieved document to view the full-text of the document.
- Click "KWIC™" or "Full" to select a display format.

Completing the Search Terms Form

1. Select the search format you want to use. Choose from:
 - Terms and Connectors (known as Boolean search logic), which uses words and connectors to create phrases and concepts based on specific rules of search logic. The search for appropriate documents is based on the specific words and combinations of words in the search request. Each word or one of its alternatives must appear in each document retrieved. For example, to find documents concerning employee drug tests, you might use this search request: *drug /15 test or screen /10 employ!*
- For more information on how to use Terms and Connectors searching, see page 9.

Or

Natural Language (known as the FREESTYLE™ feature), which lets you create your own search description with natural language (meaning just as you would use in normal conversation), removing the need for using connectors and search logic. Use Natural Language when you want to research conceptual issues rather than highly specific topics and/or are starting to research a complex issue and you are unsure of what words to use.

lexis.com™ Change Client Options Feedback Sign Off Help

Search Search Advisor Get a Document Check a Citation Sources History

Sources

All Sources: Federal Legal - U.S. : Federal Cases, Combined Courts

Enter Search Terms Help

☒ Terms and Connectors ☐ Natural Language

Search

Use connectors to show relation of terms (cat or feline, Jane w/3 doe) more...

☒ Suggest Words and Concepts for Entered Terms

☒ Restrict Search Using Document Segments

Optional: Restrict by Date

☒ No Date Restrictions ☐ From To

Terms and Connectors

Natural Language

Type your search terms

Click "Search" after search form is completed

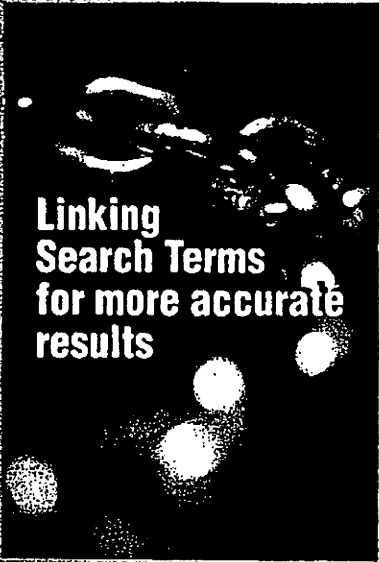
2. Type your search terms (appropriate for your selected search format) in the blank field.

Click "Suggest Words and Concepts for Entered Terms" for additional terms you may want to include in your search request.

Click "Restrict Search using Document Segments" if you want to use particular segments in your search request (applicable only for Terms and Connectors search format). If you know certain segments are available for your chosen source, you may include the segment(s) as part of your search request and not click on this display.

Note: Segments vary from source to source. For example, a case law document will not have the same segments as a newspaper article. See Segments information following this section.

3. Click "Search" to the right of the Search Terms field to process your search request. Do this only after you have satisfactorily completed the search form.



**Linking
Search Terms
for more accurate
results**

Segments – Terms and Connectors Searching

Documents have a structure that is common to all documents of that type. In the *lexis.com* service this structure is called segments. Segments are divisions or sections within documents. They represent the natural parts of a document. For example, cases contain, among others, NAME, DATE, COURT, OPINION, and DISSENT segments. Segment searching is especially useful when you are looking for:

- Opinions written by a particular judge,
- Cases involving a particular party,
- Cases in which a particular attorney or firm appeared as counsel,
- Cases decided on, before, or after a particular date.

Date Restrictions Restrict by Date – optional

You may include a date restriction as part of your search request (date aft, date bef, or date is) or you can specify a date restriction at the optional field. To specify in the optional field:

- Select “No Date Restriction” to specify no date.
- Click on the down arrow to the right of the No Date Restriction field to specify a predetermined date restriction. Highlight the predetermined date in the list to select.

Or

- Select “From,” then type your From and To date restriction within each blank field.

For example, From 6/15/85 To 4/6/91 will retrieve all appropriate documents dated from June 15, 1985 through April 6, 1991.

Date restrictions add specificity to your search request by providing an exact date, an approximate date or a date range in which to search documents. Within your search request, you can specify the date by year; month and year; or month, day, and year.

Examples:

date is 1996 specifies documents dated for the entire year of 1996

date aft 12/15/1995 specifies documents dated after December 15, 1995

date bef 8/20/96 specifies documents dated before August 20, 1996

date aft 11/1995 and date bef 2/1996 specifies documents dated between December of 1995 and January 31, 1996

Words

Words are the basic units of a search. A word is a single character or group of characters, alphabetical or numeric, with a space on either side.

Examples:

<i>McPherson</i>	one searchable word
<i>§1988</i>	one searchable word
<i>§ 1988</i>	two searchable words

Hyphenated words

A hyphen is treated as a space, so a hyphenated word is seen as two words.

Examples:

pretrial	one word
pre-trial	two words
pre trial	two words

Plurals and Possessives

Use any form of a noun – singular, plural, or possessive. The *lexis.com* service automatically picks up the other forms for you as long as the noun is a regular plural.

Examples:

<i>writ</i>	finds writ, writs, writ's, or writs'
<i>city</i>	finds city, cities, city's, or cities'

However, if you use a noun with an irregular plural ending, such as child or ox, you will not automatically get the plurals and plural possessives. Use universal characters to get all forms of the words.

Special Symbols

Many keyboards do not have a § symbol commonly used in citations to statutes. If your keyboard does not have this symbol, you can substitute an @ in its place. For example, to search for citations to Section 305:

Enter: @ 305 OR @305

@ = §

H.U.D. = HUD
Thursday = Thurs
eighty = 80
certiorari = cert

Equivalents

The *lexis.com* service automatically searches for some words and abbreviations that are equivalent to each other. If you use one in a search request, *lexis.com* will search for all equivalents. For example, *cal* will automatically find *Cal*, *Calif.* and *California*.

Noise words

Certain common words cannot be searched in most of *lexis.com*. They are called noise words. The list of noise words is too extensive to give here, but think of words that are used repeatedly in most writing – the, and, of, his, my, when, is, are, and so on. When in doubt, omit the questionable word and use the /n connector instead.

Universal characters

The asterisk (*) and the exclamation mark (!) are referred to as universal characters. Use them to substitute for letters in words, although each has a different function.

The asterisk *

Use the * to replace a letter or letters in a word. You can use more than one * in a word and you can use it anywhere in a word except as the first letter.



<i>bernst**n</i>	finds the <i>ei</i> or the <i>ie</i> spelling of the name
<i>wom*n</i>	finds both the singular and plural forms of the word
<i>bank***</i>	finds any word beginning with bank and which has no more than three letters after the <i>k</i> ; will pick up <i>banker</i> and <i>banking</i> , but will not pick up <i>bankrupt</i> or <i>bankruptcy</i>

The exclamation point !

Use the ! to replace an infinite number of letters following a word root. You can use only one in a word and it must be at the end of the word root.



<i>litigat!</i>	finds variations on the word <i>litigate</i> (<i>litigator</i> , <i>litigated</i> , <i>litigation</i> , <i>litigating</i>)
<i>acqui!</i>	finds variations of the word <i>acquire</i> (<i>acquired</i> , <i>acquiring</i> , <i>acquisition</i>)
<i>child!</i>	finds variations of the word <i>child</i> (<i>child</i> , <i>children</i> , <i>childish</i>)

Connectors

Use connectors to establish logical relationships between words and concepts in a Boolean search request. The *lexis.com* service does not look for the connectors themselves in documents – just for the actual search words. Multiple connectors can be used in one search request.

OR links synonyms, alternative forms of expression, acronyms, antonyms, and so on:

Examples:

doctor OR physician – finds either *doctor* or *physician*

mouse OR rat OR rodent – finds either *mouse* or *rat* or *rodent*

environmental protection agency OR epa – finds either *Environmental Protection Agency* or *EPA*

regulat! OR deregulat! – finds variations on either *regulate* or *deregulate*

OR

/n links search words and phrases to create concepts. The letter *n* stands for a number from 1 to 255. */n* does not specify a word order. No matter how large the value of *n*, */n* will not connect words which are in different segments of a document.

Examples:

john /3 doe – finds *john* within up to three words of *doe*. Use to link first and last names, allowing for middle names and initials, as well as the last name preceding the first name.

market /5 share – finds *market* within up to five words of *share*; links two words that may appear side by side or separated by up to four intervening words. This search finds *market share* or *share of the market*.

spray /25 injur! OR explod! – finds *spray* within up to 25 words of *injur!* or *explod!*

/n

/p looks for documents with search words in the same paragraph. Use the */p* connector when you want your search words to have a general relationship to each other.

Examples:

rule 11 /p sanction – finds *rule* within the same paragraph as *sanction*.

take over OR takeover /p poison pill – finds *take over* or *takeover* in the same paragraph as *poison pill*.

/p

/s

/s looks for documents with search words in the same sentence. Use the **/s** connector when you want a close relationship between words without specifying an exact proximity.

Examples:

sanction /s frivolous – finds *sanction* within the same sentence as *frivolous*.

circumstances /s mitigat! – finds *circumstances* within the same sentence as *mitigat!*

AND

AND links words or phrases that must both appear anywhere in the same document, no matter how close or far apart.

Examples:

bank AND deregulate – finds *bank* and *deregulate* anywhere in the same document.

stock OR share /10 redeem! OR redemption AND takeover OR take over OR merg! – finds either *stock* or *share* within up to 10 words of *redeem!* or *redemption*, and *takeover*, *take over* or *merg!* must appear somewhere in the document.

PRE/n

PRE/n requires both words appear in the document in the same segment, and the first word must precede the second word by *n* words. Use when a different word order would change the meaning.

Example:

cable PRE/2 television OR tv OR t.v. – finds *cable television* or *cable tv* but not *television cables*

Not /n

Not /n – The first search word is required to appear in the document. The second word may also appear; however, it cannot be within *n* words of the first word. There must be at least one example of the first word with the second word not within *n* words.

Example:

rico NOT /5 puerto finds *rico*; however, *rico* cannot appear closer than five words to *puerto*.

And Not

And Not excludes any words that follow the connector from appearing in a document.

Example:

trust AND NOT charitable trust – finds the word *trust* anywhere in the document, but the phrase *charitable trust* cannot appear anywhere in the document.

CAUTION: Use the **AND NOT** connector carefully. It eliminates any words that follow it and, consequently, changes the impact of other connectors.

Connector Order

Priority

Connectors operate in the following order of priority:

1. OR
2. /n, PRE/n, NOT /n
3. /s
4. /p
5. AND
6. AND NOT

In addition, if you use two or more of the same connector, they operate left to right.

If the "number" connectors have different numbers, the smallest number is operated on first.

/p and /s cannot be combined with a proximity connector, e.g., /n.

Example:

bankrupt! /25 discharg! AND student OR college OR education /5 loan

1. Because OR has the highest priority, it operates first and creates a unit of *student OR college OR education!*.
2. /5, the smaller of the /n connectors, ties together the word *loan* and the previously formed unit of *student OR college OR education!*.
3. /25 operates next and creates a unit of *bankrupt! /25 discharg!*.
4. AND, with the lowest priority, operates last and links the units formed.

Get a Document allows you to quickly retrieve a single document from *lexis.com*. To retrieve your document:

1. Click "Get a Document."
2. Click "By Citation," "Party Name," or "Docket Number" to select, depending on the information you have.
3. Fill in the Citation, Party Name, or Docket Number field with the required information. (Jurisdiction information applies to Name and Docket selections.)
4. Select the LEXSEE® feature or the LEXSTAT® feature for By Citation.
5. Click on a date range from the pull-down list of dates (optional).
6. Click "Search" or "Get" to process.

By citation

The LEXSEE® feature allows you to display and print the full text of documents when you have the citation for:

- Federal and state case law
- Slip laws (Advance Legislative Service) and public laws
- Administrative decisions
- Law review articles
- Congressional Record, Cumulative Bulletin, Federal Register and Internal Revenue Bulletin items
- Private Letter Rulings
- Revenue rulings and revenue procedures
- RIA Federal Tax Coordinator 2nd and tax management portfolios

The LEXSTAT® feature retrieves the full text of a code or statute section when you have the citation.

The screenshot shows the Lexis.com website with the 'Get a Document' tab selected. Under the 'Citation' sub-tab, there is a 'Get by Citation' section. A text input field is present, followed by the text 'The citation I entered was:'. Below this, there are two radio button options: 'a case, law review, IRS materials, Federal Register - LEXSEE® Formats' (which is selected) and 'a statute or CFR section - LEXSTAT® Formats'. A 'Get' button is located at the bottom right of the section.

By party name

The screenshot shows the Lexis.com website with the 'Get a Document' tab selected. Under the 'Party Name' sub-tab, there is a 'Get by Party Name' section. A text input field is present. Below it, there is a 'Jurisdiction: Coverage Dates' section with several radio button options and corresponding dropdown menus: 'Combined Courts' (selected) with 'All Federal & State Courts', 'US Supreme Court' with 'All Circuits', 'US Courts of Appeals' with 'All District Courts', 'US District Courts' with 'US Court of Federal Claims', and 'Special Courts' with 'All State Courts'. There is also an 'Optional: Restrict by Date' section with a radio button for 'No Date Restrictions' (selected) and fields for 'From' and 'To'. A 'Search' button is located at the bottom right.

lexis.com™ [Change Client](#) [Options](#) [Feedback](#) [Sign Off](#) [Help](#)

[Search](#) [Search/Advanced](#) **Get a Document** [Check a Citation](#) [Litigation](#) [Litigation](#) [Litigation](#)

Citation Party Name **Docket Number**

Get by Docket Number [Help](#)

Jurisdiction: Coverage Dates

☒ Combined Courts: [X](#)

☐ US Supreme Court

☐ US Courts of Appeals: [X](#)

☐ US District Courts: [X](#)

☐ Special Courts: [X](#)

☐ State Courts: [X](#)

Optional: Restrict by Date

☒ No Date Restrictions [X](#) ☐ From To

[Search](#)

By docket number

Review

View/Display Formats

The CITE format displays the citations or bibliographic references of the documents the search has retrieved. To view a document that appears in a list in the CITE format, double-click on the underlined text/title to the right of the number for that document.

The KWIC™ format (Key Words in Context) displays a window of text ~ 25 words on either side of your search terms. Use the KWIC format to see the context and quickly determine if a document is on target for your research needs.

The FULL format displays the full text of the document.



Case Summaries

Case Summaries are editorially written synopses of cases. They contain targeted and concise analysis to help you quickly determine the issues addressed by the case. Each Case Summary contains three sections:

- A. **The Procedural Posture** describes the case's procedural history—in other words, how the case arrived before the court at hand.
- B. **The Overview** provides a brief review of the court's holding on the legal issues raised.
- C. **The Outcome** describes the procedural disposition of the case.

lexis.com

Change Client Options Feedback Sign Off Help

Search Search Advisor Get a Document Check a Citation

View: Cite | KWIC | Full

FOCUS™ - Narrow Results | Save As ECLIPSE | More Like This | More Like Selected Text | SHEPARDIZE®

Text Only | Download | Fax | Email

3 of 9

A KEEFE v. PRUDENTIAL PROP. & CAS. INS. CO., 2000 U.S. App. LEXIS 1247

2000 U.S. App. LEXIS 1247

CINDY KEEFE v. PRUDENTIAL PROPERTY AND CASUALTY INSURANCE COMPANY, Appellant

NO. 99-1292

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

2000 U.S. App. LEXIS 1247

September 27, 1999, Argued
February 2, 2000, Filed

PRIOR HISTORY: On Appeal From the United States District Court For the Eastern District of Pennsylvania. (D.C. Civ. No. 97-cv-03312). District Judge: Honorable Robert S. Gawthrop, III.

DISPOSITION: Reversed and remanded.

Procedural Posture

CASE SUMMARY

PROCEDURAL POSTURE: Defendant insurance company appealed the judgment of the United States District Court for the Eastern District of Pennsylvania which denied defendant's motion for summary judgment in plaintiff's bad faith insurance claim.

OVERVIEW: Plaintiff suffered three injuries in a motor vehicle accident with an uninsured motorist. Two of her injuries were clearly caused by the accident. The third injury was more difficult to evaluate because plaintiff had a preexisting problem with her wrist, and it was not immediately clear whether the post-accident condition of her wrist was attributable to the accident. Defendant, insurance company, asserted bad faith by defendant failing to settle her claims for other injuries while it was awaiting more information regarding her wrist injury. Court ruled that defendant was not acting in bad faith in dealing with plaintiff, thus the case was reversed and remanded.

Overview

OUTCOME: Judgment reversed and remanded; no bad faith where plaintiff acknowledged she failed to provide medical records regarding preexisting problems with her wrist until less than a month before defendants agreed to settle because defendants were awaiting records on wrist.

Outcome

Core Terms

Core Terms are representative and important words and phrases extracted directly from the text of a case. They can help you gain a quick overview of the major legal and factual issues of the case—at a glance, in a single location without reading the whole case.

Up to 30 Core Terms display for each case listed in descending order of significance (from most to least important). In CITE and KWIC display formats, an abbreviated set comprised of the first 10 to 15 Core Terms will display. In the FULL display format, the complete set of up to 30 Core Terms will display at the top of the case.

It is also possible to use Core Terms in a search to find cases that contain the most relevant facts and points of law. Searchable Core Terms let you use a segment search to find documents based on the most relevant words in the case. For example, let's say you're researching the issue of double jeopardy. Simply enter the following search:

ENTER: *core-terms (double jeopardy)*

lexis.com

Change Client | Options | Feedback | Sign Off | Help

Search | Search Advisor | Get a Document | Check a Citation

View: Cite | KWIC | Full

PREVIOUS 3 of 9 NEXT

Text Only | Download | Fax | Email

FOCUS™ - Narrow Results | Save As ECUPSE | More Like This | More Like Selected Text | SHEPARDIZE®

KEEFE v. PRUDENTIAL PROP. & CAS. INS. CO., 2000 U.S. App. LEXIS 1247

PRIOR HISTORY: On Appeal From the United States District Court For the Eastern District of Pennsylvania. (D.C. Civ. No. 97-cv-03312). District Judge: Honorable Robert S. Gawthrop, III.

DISPOSITION: Reversed and remanded.

CASE SUMMARY

PROCEDURAL POSTURE: Defendant insurance company appealed the judgment of the United States District Court for the Eastern District of Pennsylvania which denied defendant's motion for summary judgment in plaintiff's bad faith insurance claim.

OVERVIEW: Plaintiff suffered three injuries in a motor vehicle accident with an uninsured motorist. Two of her injuries were clearly caused by the accident. The third injury was more difficult to evaluate because plaintiff had a preexisting problem with her wrist, and it was not immediately clear how much of the post-accident condition of her wrist was attributable to the accident. Defendant, insurance company settled her uninsured motorist claim. Although plaintiff acknowledged that she failed to provide medical records regarding the preexisting problems with her wrist until less than a month before defendants agreed to settle, she asserted bad faith by defendant failing to settle her claims for other injuries while it was awaiting more information regarding her wrist injury. Court ruled that defendant was not acting in bad faith in dealing with plaintiff, thus the case was reversed and remanded.

OUTCOME: Judgment reversed and remanded; no bad faith where plaintiff acknowledged she failed to provide medical records regarding preexisting problems with her wrist until less than a month before defendants agreed to settle because defendants were awaiting records on wrist.

CORE TERMS: list, insured, undisputed, duty, consent judgment, insurer, summary judgment, partial, partial payment, settlement, fair dealing, shoulder, knee, settlement agreement, final judgment, right to appeal, settle, preexisting condition, pain and suffering, reasonable basis, refusal to pay, coverage, failure to pay, uninsured motorist claim, compensatory damages, uninsured motorist, unconditionally, driver, fusion, waived

Core Terms

Core Concepts

Core Concepts are the legal points of a case editorially selected by a LEXIS Publishing team of legal editors. Core Concepts are drawn directly from the language of the case itself so there's no potential for misinterpretation of the court's analysis.

lexis.com™ Change Client | Options | Feedback | Sign Off | Help

Search | Search Advisor | Get a Document | User's Citation | 3 of 9 FOCUS™ - Narrow Results | Save As ECLIPSE | More Like This | More Like Selected Text | SHEPARDIZE® Text Only | Download | Fax | Email

View: Cite | KWIC | Full KEEFE v. PRUDENTIAL PROP. & CAS. INS. CO., 2000 U.S. App. LEXIS 1247

CORE CONCEPTS - [Hide Concepts](#) **Hide Concepts**

- ☐ **Civil Procedure : Appeals**
The court has acknowledged the general rule that a party cannot appeal a consent judgment, as well as two limited exceptions to that rule.
- ☐ **Civil Procedure : Appeals**
Appeals from judgments entered by consent are disfavored because, as the purpose of a consent judgment is to settle the case without further litigation, an appeal would undermine the agreement reached by the parties. Moreover, a party should not be left guessing about the finality and hence efficacy of the settlement. When it is clear from the agreement between the parties that the losing party intends to appeal, however, it is unlikely that an appeal will undermine the settlement agreement or catch a party unawares. Indeed, in some situations, the option to craft a settlement agreement that provides for the possibility of an appeal on some contested issue may facilitate settlement of other issues. Recognizing these principles, some of our sister circuits have held that a party to a consent decree or other judgment entered by consent may appeal from that decree or judgment if it explicitly reserves the right to do so.
- ☐ **Civil Procedure : Appeals**
When the losing party in a consent judgment makes its intent to appeal clear in its agreement with the opposing party, an appeal from a consent judgment does not undermine the settlement. Where the terms of a stipulation clearly show that one of the parties has an unequivocal intention to appeal, the court has discretion to accept the appeal insofar as it relates to a prior contested order notwithstanding the parties' later consent to the entry of the final judgment itself. Where it is clear from the record that the parties stipulated to a consent judgment with the express understanding that the party against whom judgment was entered would appeal a contested issue decided by the district court, there is no reason to hold the right to appeal waived.
- ☐ **Civil Procedure : Jurisdiction : Subject Matter Jurisdiction**
It is the court's duty to assure ourselves of the existence of subject matter jurisdiction even if the parties fail to raise the question.
- ☐ **Civil Procedure : Appeals : Appellate Jurisdiction : Final Judgment Rule**
- ☐ **Civil Procedure : Appeals : Appellate Jurisdiction : Interlocutory Orders**
Although an order denying a motion for summary judgment is an interlocutory order that cannot be immediately appealed, after final judgment the losing party may seek review of an issue decided in an order denying summary judgment to the extent that that ruling was dispositive of some issue relevant on appeal. Since only a final judgment or order is appealable, the appeal from a final judgment draws in question all prior non-final orders and rulings.

Core Concepts

Case Summaries, Core Terms and Core Concepts appear on substantive documents automatically. You don't need special commands to find or display them. For added convenience, the Case Summary Overviews and Core Terms display in the Cite list.

If you like, you can "turn off" Case Summaries by changing your personalized settings on the drop-down OPTIONS menu. Core Concepts can be hidden by clicking the Hide Concepts/ Show Concepts link at the beginning of the Core Concepts section of the full version of the case.

Cite List Overviews

Cite List Overviews give you an abbreviated version of the Case Summary Overview when you view your results in the Cite format. They appear in the Cite list beneath the citation for case law documents. Additionally, as many as 10 of the core terms for the case also display in the cite list immediately below the Cite List Overview. If the Cite List Overview or the Core Terms do not display in the cite list, click "Options" at the top right of the screen. Then select "Show Cite List Overviews" and/or "Show Core Terms."

Cite List Overviews provide you with a brief summary of the legal issues of a case to help you quickly determine which documents in your results are most relevant to your research.

- ▲ 1. SYNDICATE SALES v. HAMPSHIRE PAPER CORP., No. 98-4217, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, 192 F.3d 633; 1999 U.S. App. LEXIS 21884; 52 U.S.P.Q.2D (BNA) 1035, April 23, 1999, Argued, September 13, 1999, Decided

OVERVIEW: Trade dress famous based solely on niche-market status may be sufficient to establish fame for purposes of Federal Trademark Dilution Act; dilution claim may serve as required illegal act for state law interference with business relations claim.

CORE TERMS: basket, trade dress, retailer, famous, packaging, box, consumer, fame, labeling, dilution...

... Hampshire Paper"), alleging trade dress infringement under the Lanham Act, trade dress dilution under the Federal ...

... II DISCUSSION A. Trade Dress Section 43(a) of the ...

... a), n1 which prohibits infringement of trademarks, also protects trade dress. "Trade dress" refers to the total image of ...

... may establish a trade dress claim under § ...

... prevail on a claim of trade dress infringement, a plaintiff must show that 1) its trade dress is either inherently distinctive or has ...

... 2) that the similarity of the defendant's trade dress causes a likelihood of ...

... a product configuration trade dress infringement, . . . consumers do not have to rely on ...

... similar configurations. Thus, in trade dress infringement suits where the dress inheres ...

... federal claim for trade dress infringement. It notes that Indiana law, which ...

The FOCUS™ Feature

The FOCUS feature lets you highlight words within the documents in your search results even if those words were not part of your original search request.

- Highlight as many words as you want without losing or changing your original search request.
- Use the FOCUS feature with a document retrieved through the LEXSEE or LEXSTAT feature.
- There are no additional search charges for using the FOCUS feature.

Click "FOCUS"
in the upper left
corner of a retrieved
document to invoke
the FOCUS feature

Type terms here

Optional date restriction here

Click here to process the
FOCUS feature search request

FOCUS™

Help

Source: Copyright Cases, Federal

Search fair use and popl w/5 song or music

Terms:

FOCUS lyrics

Terms:

Use connectors to show relation of terms (cat or feline, jane w/3doe) more

Dates: ☒ No Date Restrictions ☐ From To

FOCUS Cancel

Search History

All of your searches for each research session are automatically logged and saved (until 2 a.m. Eastern time of the following day) so that you can review any searches you might like to revisit. To view this list, click on the History tab at the top of the screen.

Highlight and click on
search to revisit.

Search History			
Help			
View Results	# Docs	Source/Service	Time(EDT)
<u>restraint and date is 1999</u>	1	Fair Use Defense - Copyright Cases, Federal	09/15/99 10:11:29
410 u.s. 396	1	Auto-Cite®	09/15/99 10:35:49
410 us 413	1	SHEPARD'S®	09/15/99 10:34:47
FOCUS™ <u>image or depict</u>	2	Source Not Available	09/15/99 10:49:02
FOCUS™ <u>attorney</u>	25	Source Not Available	09/15/99 10:45:20
More Like This (Core Terms): 50 <u>trademarked donovan</u> <u>harder tm register</u> <u>phrase "trademark office"</u> <u>comedian shame "new york"</u> <u>pending pace</u> <u>patent applied</u>		Regional News, All	09/15/99 10:44:42
<u>popl w/5 music or song</u>	24	Fair Use Defense - Copyright Cases, Federal	09/15/99 10:12:19
<u>rights of publicity</u>	566	Regional News, All	09/15/99 10:41:41
<u>restraint and date is 1999</u>	15	Copyright Cases, Federal	09/15/99 09:57:25

* Searches are kept until 2:00 a.m. (Eastern Time).

You can find more documents that resemble the document you are currently viewing by using Core Terms, Core Cites or Selected Text. To access the more Like This feature, click "More Like This" at the top of the document you are viewing.

Core Terms — retrieve documents with similar language patterns

To search for documents with similar language patterns, use the Core Terms search option in the MORE LIKE THIS options screen. A Core Terms search identifies words that represent the key facts and concepts in an on-point document and searches for other documents in which those words are also important.

The core terms are listed in order of relevance from top to bottom and left to right. That is, the most relevant term is the top term in the first column, the next most relevant term is the second term in the first column, and so on. Uncheck any core terms that you don't want used in your More Like This search. Enter any additional terms and phrases (enclosed in quotation marks) you want used in a Core Terms search (limit 60 characters).

Search Tip: Viewing Core Terms in the CITE format is especially useful for pinpointing the terms that you want in documents.

More Like This

Help

Last 20: US Courts of Appeals Cases - All Circuits

more sources

Search Using:

☒ Core Cites (retrieve documents with similar citation patterns)
 ☒ Core Terms (retrieve documents with similar language patterns)

☒ wrist ☒ "consent judgment" ☒ settlement
☒ duty ☒ insurer ☒ "partial payment"
☒ "bad faith" ☒ partial ☒ knee
☒ insured ☒ "summary judgment" ☒ "28 U.S.C. 1332"
☒ undisputed ☒ "good faith"

Add Additional Terms and phrases for Core Terms search

Mandatory Terms:

Specify a term that must be found in retrieved documents

Date:

☒ No Date Restrictions
 ☐ From To

☐ In the future, run search automatically and skip this page

Search Cancel

Core Cites — retrieve documents with similar citation patterns

To search for documents with similar citation patterns, use the Core Cites search option in the More Like This option screen. A Core Cites search offers an accurate, cost-effective way to find related cases on-point to your issue. Working with a citation rather than words, it identifies the citation patterns in an on-point document, then constructs a search that will find other cases with similar citation patterns. There must be enough citations in your on-point document for the Core Cites option to be available.

MORE LIKE THIS
Core Terms
Core Cites
More Like Selected Text
Legislative Links

Selected Text — retrieve documents that resemble a portion of selected text

When you want more documents like the one you have already found, use the Selected Text option and build a search that looks for documents with similar citation patterns or similar language patterns.

To use, highlight a portion of relevant text and click "More Like Selected Text" displayed on the screen of a retrieved document.

The screenshot shows a web form titled "More Like Selected Text" with a "Help" link. The "Last 20:" field contains "Copyright Cases, Federal". Below this is a "Terms:" field with the text "a work, under a provision of the Copyright Act of 1976 (17 USCS 107)--which provides in a preamble that the fair use of a". There is a "Mandatory Terms:" field with the instruction "Specify a term that must be found in retrieved documents". The "Date:" field has a radio button selected for "No Date Restrictions" and two empty "From" and "To" date boxes. At the bottom, there is a checkbox "In the future, run search automatically and skip this page" and two buttons labeled "Search" and "Cancel".

The *lexis.com* service will analyze your selected passage, looking for key terms and important legal citations. When this analysis is done, *lexis.com* will then launch a search in your chosen source, retrieving other documents that contain similar patterns of words and cites.

For best results, keep your selected passage relatively brief (e.g., not more than a paragraph). Also, if possible, try to focus on a single proposition or issue and be sure to highlight any case law citations that appear in connection with the issue.

Note: Selected Text requires 4.0 or higher Netscape® for Windows® (available from Netscape) or Microsoft® Internet Explorer 4.0 or higher (available from Microsoft).

Linking Legislative and News Data

Linking Legislative and News Data provides links for legislative materials – public laws, bill tracking reports – to news sources which specifically reference these materials. The reverse is also true in that Linking Legislative and News Data links from news sources to public laws and bill tracking reports that are specifically referenced within news sources.

Linking Legislative and News Data will also provide additional hypertext links from within documents that contain the Code of Federal Regulations, the Federal Register, public laws, and the full text of bill citations.

The screenshot shows a web page with a title bar "View: Cite | Home | Exit". The main content area displays "FOCUS™ - Narrow Results | Set As ECLIPSE | More Like This | More Like Selected Text" and "1999 8th Tracking S. 33". Below this, it says "Source: All Sources: Legislation & Politics: U.S. Congress: Congressional Bills and Bill Tracking - Current Congress" and "Terms: S. 33 (Oct 22/99)". The document title is "Bill Tracking Report S. 33" and it is "Copyright 1999 Congressional Information Service, Inc". It is a "Bill Tracking Report" for the "105th Congress 1st Session U. S. Senate S. 33". The date is "1999 8th Tracking S. 33; 106 8th Tracking S. 33". At the bottom, there are links for "Related news search" and "Retrieve full text version". The footer says "DATE-INTRO: January 19, 1999".

Click here to link to news material on this topic

The ECLIPSE™ Feature

The ECLIPSE feature is an electronic clipping service that allows you to follow the development of topics of interest to you. You can have *lexis.com* automatically save and re-run searches for updates at daily, business daily, weekly, or monthly intervals. ECLIPSE results can be viewed online or e-mailed to you.

Each time your search is processed, an ECLIPSE search only gives you the new, updated information and doesn't retrieve the documents you've already seen.

Save ECLIPSE™ [Help](#)

Name:

Source: Congressional Bills and Bill Tracking - Current Congress - LEGIS,BILLS
Terms: s 33

Frequency
☐ Daily
☒ Weekly
☐ Business Days (M-F) ☒ Monthly Day of Month:

Delivery
☒ Online only
☐ Email [Email Options...](#)

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* Email Distribution is subject to Terms and Conditions

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Click "Save As ECLIPSE" at the top of the document you are viewing to set up a new ECLIPSE search.

lexis.com [Change Client](#) [Options](#) [Feedback](#) [Sign Off](#) [Help](#)

[Search](#) [Find](#) [Advanced Search](#) [Get Documents](#) [ECLIPSE™](#) [ECLIPSE™](#) [ECLIPSE™](#)

ECLIPSE™ – Scheduled LEXIS Searches [Help](#)

Name	Retrieve	Last Viewed	Last Updated	Delivery	Actions
Kennedy Assassination	<u>New</u> <u>By Date</u> <u>Focus</u>	03/24	03/26	Daily Online Only	<u>Edit</u> <u>Delete</u>
Kennedy Assassination	<u>New</u> <u>By Date</u> <u>Focus</u>	03/24	03/26	Daily Online Only	<u>Edit</u> <u>Delete</u>
Kennedy Assassination	<u>New</u> <u>By Date</u> <u>Focus</u>	03/24	03/26	Daily Online Only	<u>Edit</u> <u>Delete</u>

Click on underlined options to make changes to your ECLIPSE search or to retrieve an ECLIPSE search.

The Shepard's® Citations Service

The *Shepard's* Citations Service provides comprehensive citations history and treatment coverage necessary to verify the status of cases. *Shepard's*, which now integrates *Shepard's*, the Auto-Cite® service, and the LEXCITE® feature, can also be used for case-finding, identifying cases and articles that have cited your case.

Coverage

- Federal case law
- Case law for all 50 states, the District of Columbia, and Puerto Rico
- Federal statutory materials
- Statutory materials for all 50 states and the District of Columbia
- The Code of Federal Regulations
- Federal Rules
- U.S. Patents
- Law reviews and periodicals

Currentness

Shepard's editorial analysis is typically available within 24-48 hours of receipt of the case.

How to use:

1. Click "Check a Citation" at the top of the screen; Click "*Shepard's*" to select.
2. Type the citation in the open field.
3. Select *Shepard's* for Validation (KWIC™) or *Shepard's* for Research (FULL) to select a format.
4. Click "Check" to the right of the Citation field.

Click Check a Citation

Click *Shepard's*

Type citation

Select
Shepard's KWIC
or FULL

Click "Check"

The screenshot shows the Lexis.com website interface for the Shepard's Citations Service. The top navigation bar includes links for Search, Search Advisor, Get a Document, and Check a Citation. Below this is a sub-header for SHEPARD'S, Auto-Cite®, and LEXCITE®. The main content area features a promotional message about the service's coverage and reliability, followed by a section titled 'Enter the Citation to be Checked' with a text input field and a 'Help' link. To the right of the input field is a 'Citation Formats' link. Below the input field, a section titled 'The Report will include:' lists two options: 'SHEPARD'S® for Validation - subsequent history and citing references with analysis (KWIC™)' and 'SHEPARD'S® for Research - prior and subsequent history and all citing references (FULL)'. At the bottom right of the form is a 'Check' button. Annotations with lines pointing to specific elements are provided on the left side of the page.

Shepard's for Validation (KWIC)

Shepard's for Validation is the editorial portion of the Shepard's Citations Service that assists with answering the question, "Is my case still good law?"

KWIC view provides:

- All Subsequent Appellate History
- Citing references to which the Shepard's editorial staff has assigned analysis, plus recent, additional case law that has not yet been analyzed
- All restrictions
- The new FOCUS search in Shepard's

Note: The default display format for Shepard's is KWIC™.

lexis.com

View: KWIC | List | Focus Search | Shepard's - 22 Citing References | All Restrictions | No Custom Restrictions | Unrestricted | Text Only | Download | Email

Citation: 800 F.2d 111 (2d Cir. 1986) [Open this Document]

McNeil v. Economics Laboratory, Inc., 800 F.2d 111, 1986 U.S. App. LEXIS 29174, 41 Empl. Prac. Dec. (CCH) P36492, 41 Fair Empl. Prac. Cas. (BNA) 1789 (7th Cir. 11, 1986)

SUBSEQUENT APPELLATE HISTORY (2 citing references) • Hide Subsequent Appellate History

Writ of certiorari denied:

- McNeil v. Economics Laboratory, Inc., 481 U.S. 1041, 95 L. Ed. 2d 823, 107 S. Ct. 1982, 1987 U.S. LEXIS 2021, 55 U.S.L.W. 3746, 42 Empl. Prac. Dec. (CCH) P36984, 43 Fair Empl. Prac. Cas. (BNA) 1056 (1987)

Later proceeding at:

- McNeil v. Economics Laboratory, Inc., 1988 U.S. Dist. LEXIS 18500, 48 Fair Empl. Prac. Cas. (BNA) 1432 (N.D. 18 Nov. 4, 1988)

CITING REFERENCES (20 citing references)

4th Circuit - Court of Appeals

Followed by:

- Duke v. Universal, Inc., 929 F.2d 1413, 1991 U.S. App. LEXIS 5171, 56 Empl. Prac. Dec. (CCH) P40070, 55 Fair Empl. Prac. Cas. (BNA) 811, 19 Fed. R. Serv. 3d (Callaghan) 259 (4th Cir. N.C. 1991)

Shepard's for Research (Full)

Shepard's for Research is the universe in which your case has been cited. Think of this research format as a finding tool.

FULL view provides:

- All Prior History
- All Subsequent Appellate History
- Every citing reference – case law, law reviews, periodicals, annotated statutes, and ALR® annotations
- All restrictions
- The FOCUS search in *Shepard's*

The screenshot displays the Lexis.com interface for Shepard's for Research. At the top, the browser address bar shows 'lexis.com'. The main header area includes 'View: KACC (Full)', 'FOCUS™ Search', 'Shepard's® - 114 Citing References', 'Ad. Neg. | All Pos. | Am. | Custom Restrictions | Unrestricted', and 'Text Only | Download | E-File | Email'. Below this, a citation is shown: 'Signal: Ⓢ Warning - Negative treatment is indicated', 'Citation: 800 F.2d 111 (2d Cir. 1986)', and 'Shepard's®'. The case name 'McNeil v. Economics Laboratory, Inc., 800 F.2d 111, 1986 U.S. App. LEXIS 29174, 41 Empl. Prac. Dec. (CCH) P36492, 41 Fair Empl. Prac. Cas. (BNA) 1769 (7th Cir. Ill. 1986)' is listed. The 'PRIOR HISTORY (2 citing references) • Hide Prior History' section shows 'McNeil v. Economics Laboratory, Inc., 1985 U.S. Dist. LEXIS 22094, 41 Fair Empl. Prac. Cas. (BNA) 1774 (N.D. Ill. Jan. 30, 1985)' and 'Later proceeding at: McNeil v. Economics Laboratory, Inc., 1985 U.S. Dist. LEXIS 18850, 41 Fair Empl. Prac. Cas. (BNA) 1779 (N.D. Ill. June 17, 1985)'. The 'AFFIRMED by (CITATION YOU ENTERED):' section shows 'McNeil v. Economics Laboratory, Inc., 800 F.2d 111, 1986 U.S. App. LEXIS 29174, 41 Empl. Prac. Dec. (CCH) P36492, 41 Fair Empl. Prac. Cas. (BNA) 1769 (7th Cir. Ill. 1986)'. The 'SUBSEQUENT APPELLATE HISTORY (2 citing references) • Hide Subsequent Appellate History' section shows 'Writ of certiorari denied: McNeil v. Economics Laboratory, Inc., 481 U.S. 1041, 95 L. Ed. 2d 623, 107 S. Ct. 1993, 1997 U.S. LEXIS 2021, 55 U.S.L.W. 3746, 42 Empl. Prac. Dec. (CCH) P36494, 43 Fair Empl. Prac. Cas. (BNA) 1056 (1987)'. The bottom of the screen shows a navigation bar with 'Previous', 'Next', and 'Home' buttons.

The FOCUS search in *Shepard's*

The FOCUS search in *Shepard's* allows you to conduct a Terms and Connectors search within the text of the listed citing references. You can customize results to facts or points of law you need without predetermined category restrictions.

With the FOCUS search in *Shepard's*, you can:

- type up to 480 characters for one FOCUS search in *Shepard's*;
- link out to case law text and view the FOCUS search in *Shepard's* as highlighted text; and
- use the FOCUS search in *Shepard's* at no cost*.

* Once you *Shepardize*® a citation, the only additional charge is when you link to the text of an opinion. This charge does not apply to law school students.

How to use the FOCUS search in *Shepard's*:

1. Click "FOCUS Search."
2. Type your terms in the FOCUS Terms field.
3. Click "FOCUS" to process.

Click the "Back" button to return to the screen you were viewing prior to invoking the FOCUS feature.

The screenshot shows a window titled "FOCUS™ Search in SHEPARD'S® - KWIC" with a "Help" button in the top right corner. The window contains the following fields and text:

- Citation:** 800 Qd 111
- Restrictions:** Unrestricted
- FOCUS Terms:** A text input field with a search icon (magnifying glass) to its right.
- Below the FOCUS Terms field is the instruction: "Enter terms to search in full text of citing cases".
- FOCUS Hints:** The FOCUS feature will return a list of citations to cases that contain your terms.
You may enter up to 480 characters for your FOCUS search.
- Below the hints is a paragraph: "The FOCUS search will only identify citing references that have corresponding documents available in the LEXIS® service. The FOCUS feature is not available if your current results contain more than 2000 documents."
- At the bottom right are two buttons: "FOCUS" and "Cancel".

Custom Restrictions for Analysis, Jurisdiction, Headnotes, and Date

Unique to the *Shepard's* Citations Service on the *lexis.com* service, the Custom Restrictions Form displays only those analyses and jurisdictions available for the citation being *Shepardized*™, and only *Shepard's* provides headnote analysis from multiple publishers.

Each Custom Restrictions Form is a menu specific to the citation you have *Shepardized*. From this menu you select the restrictions pertinent to your research. In addition to selecting analysis, jurisdiction, and headnotes, you may also restrict the date by the year of the citing reference.

Selecting Options from the Custom Restrictions Form

How to restrict Analyses, Jurisdictions, and Headnotes:

Click inside the box for each restriction you want to select from the available options.

Dates:

For No Date

Select "No additional date restrictions" to specify no date restriction.

For Specific Year Restriction

1. Click on the down arrow to the right of the Date field and highlight one of the following:
Show references for the year
Show references dated prior to the year
Show references dated after the year
2. Type the four-digit year in the field to the right of the selection you highlighted above.

For Year Date Range

1. Select "From."
2. Type a beginning four-digit year date in the From: field.
3. Type an ending four-digit year date in the To: field.

When you have indicated all restrictions on the Custom Restriction Form,

4. Click "Show Restrictions" at the top of the form to process your request. Results of your restriction(s) will display.

To clear selected restrictions and select other restrictions

Click "Undo" (at the top of the form to the right of the Show Restrictions button).

Custom Restrictions

Help

Citation: ☒ 800 2d 111

Type: Analysis, Jurisdictions, Headnotes, Date

Show Restrictions

Undo

Analyses available in KWIC:

Negative:

☐ Distinguished ☐ Overruled

Positive:

☐ Followed

Other:

☐ Concurring Opinion ☐ Dissenting Op. ☐ Explained

Jurisdictions available in KWIC:

Federal:

☐ 4th Circuit ☐ 5th Circuit ☐ 7th Circuit

State:

☐ Colorado ☐ Iowa ☐ Wisconsin

Headnotes available in KWIC:

F.2d: ☐ All

☐ 1 ☐ 5 ☐ 6 ☐ 10 ☐ 11 ☐ 12 ☐ 13 ☐ 14

Dates: ☒ No additional date restrictions ☐ (4-digit year)

☐ From: To: (4-digit years)

Show Restrictions

Undo

Shepard's Signal

The Shepard's Signal is an at-a-glance indicator of the precedential status of a case.

	Warning – Negative treatment is indicated; e.g., reversed or overruled
	Caution – Possible negative treatment is indicated; e.g., criticized or limited
	True positive – Positive treatment is indicated; e.g., followed or affirmed
	Citing References with Analysis Available
	Citation Information Available

The Auto-Cite® Service and the LEXCITE® Feature

The Auto-Cite service and the LEXCITE feature are integrated into the new Shepard's Citations Service. However, you can exclusively search either of these citator tools by clicking "Check a Citation," then clicking "Auto-Cite" or "LEXCITE."

The Auto-Cite Service

Auto-Cite is a cite verification and validation tool.

Coverage

The Auto-Cite service covers more than 475 reporters, including official and unofficial state and federal reporters and services.

Currentness

Auto-Cite is updated daily with cases being made available on the service within 24 hours after receipt.

How to use

1. Click "Check a Citation" and then click "Auto-Cite."
2. Type your citation in the open field.
3. Click "Check."

The LEXCITE Feature

The LEXCITE feature searches primary and secondary legal materials to find embedded references in sources.

Coverage

The LEXCITE feature will search for citations in:

- Case law – federal and state
- Code sections
- Agency opinions – federal and state
- Law reviews, journals, and other periodicals
- ALR annotations

How to use

1. Click "Check a Citation," then click "LEXCITE."
2. Type your citation in the open field.
3. Click "Search."

Print Delivery

You have three options for printing your search results:

Printing Using a Dedicated LEXIS®-NEXIS® Printer

Click "Print" on any search results page to print on the dedicated printer. You can specify any of several print options, including dual-column printing; use of bold, italics and underlining; page breaks; and more.

Printing and Saving Using Your Internet Browser

If you do not have a dedicated LEXIS-NEXIS printer, use your browser's print and save function (normally under the File menu) to print and save documents you need for later use.

Printing and Saving Using "Text Only"

If, while browsing documents, you'd like to view, print, or save (download) only a document's text, and not the navigation bars, graphics, or options on the screen, click "Text Only" at the top right corner of the screen.

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You can download documents in your search results and save them in .txt. or .rtf format for viewing in a word processor. Click "Download" on any search results page to specify the documents you want to deliver and the format in which you want to download them. You can also specify any of several download options, including dual-column formatting; use of bold, italics, and underlining; page breaks; and more.

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