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- BNA Law Reports
- Law Reviews & Journals
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STATE LAWS
- Delaware General Corporation Law
- New York Business Corporation Law
- California Corporations Code
- State Corporate Law Directory
- D&O Indemnification Statutes
- Model Business Corporation Act, Annotated

FEDERAL LAWS
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#### Courts
- All U.S. Court of Appeals for the **Ninth** Circuit & District Court Dockets

#### Keywords
- Search Operators

#### Docket Number
- Federal Docket Numbers

#### Party Options
- Single Party Entry
  - Include
  - Name

#### Judge

#### Case Name

#### Case Status
- Open

#### Attorney or Firm

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- Company Screener
- DealMaker Document Search
- DealMaker Clause Search
- Domain Name Decision Search
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# Dockets

**Courts**

- All U.S. Court of Appeals for the Ninth Circuit & District Court Dockets

**Keywords**

- Search Operators

  - ![Include Word Variations]( Any of the following, e.g., 'index' finds 'indexing' and 'indexes')

**Docket Number**

- Federal Docket Numbers

**Party Options**

- Single Party Entry
  - Includer:
    - ![All of the following]
    - ![Any of the following]

  - Name: 
  - Role: Any

**Judge**

- Include: Dockets & Proceedings

**Case Name**

- Case Status: Open

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- Opinion Search
- Patent Search
- Patent Assignment Search
- People Search
- Regulatory Search

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Compose a terms & connectors or natural language search

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Search all content
  **optional to narrow by jurisdiction, type of content, or specific source)**
Enter a simple search which will be processed by a complex, secret search algorithm
Post-search, filter results using facets
<table>
<thead>
<tr>
<th>Natural Language Processing (NLP)</th>
<th>Terms &amp; Connectors</th>
<th>NextGen search</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interprets your query</td>
<td>Applies your search literally</td>
<td>NLP+ (interprets your query &amp; adds to it)</td>
</tr>
<tr>
<td>Google-like</td>
<td>Boolean Operators</td>
<td>Complex &amp; secret algorithm</td>
</tr>
<tr>
<td>Looks for all terms</td>
<td>Proximity Limiters</td>
<td>Leverages:</td>
</tr>
<tr>
<td>Ranks by:</td>
<td>Truncation</td>
<td>- Crowdsourcing</td>
</tr>
<tr>
<td>• Proximity of terms to one another</td>
<td>Field/Segment Searching</td>
<td>- Digest</td>
</tr>
<tr>
<td>• Location &amp; frequency of terms</td>
<td></td>
<td>- Citator</td>
</tr>
<tr>
<td>Always returns same number of results</td>
<td></td>
<td>- Secondary sources</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- And much more</td>
</tr>
</tbody>
</table>

| Classic WL & LN, BLaw Quick Search | Classic WL & LN, BLaw Detailed Search | WestlawNext, LexisAdvance |
Amador Valley Joint Union High Sch. Dist. v. State Bd. of Equalization, 22 Cal. 3d 208

... in accordance with the natural and ordinary meaning of its words. (In re Quinn (1973) 35 Cal.App.3d 473, 462 [110 Cal.Rptr. 801].) The literal language of the statute may be disregarded to avoid absurd results and to fulfill the apparent intent of the framers. (See Friends of Mammoth v. Board of Supervisors (1972) 6 Cal.3d 247, 259 [104 Cal.Rptr. 761, 502 P.2d 1049]; In re Kernan (1966) 242 Cal.App.2d 408, 491 [51 Cal.Rptr. 515].)

Strauss v. Horton, 46 Cal. 4th 364

... enforce that measure, on the ground that Proposition 8 constitutes an invalid revision of the California Constitution. In Tyler v. State of California (S156066), petitioners—one same-sex couple who married in California prior to the adoption of Proposition 8 and one same-sex couple who want to marry notwithstanding Proposition 8—seek similar relief, asserting both that Proposition 8 constitutes an impermissible constitutional revision and that Proposition 8 violates the...

Perry v. Schwarzenegger, 704 F. Supp. 2d 921

Egan and B tagget testified that Proposition 8 harms the State of California and its local governments economically. Egan testified that San Francisco faces direct and indirect economic harms as a consequence of Proposition 8. Egan explained that San Francisco lost and continues to lose money because Proposition 8 slashed the number of weddings performed in San Francisco. Egan explained that Proposition 8 decreases the number of married couples in San Francisco, who tend to be wealthier than...

Perry v. Brown, 671 F.3d 1052

... of Proposition 8 and shapes the basic issues in this case. The official argument in favor of Proposition 8, published in the Voter Information Guide, emphasized this distinction: ‘Proposition 8 doesn’t take away any rights or benefits of gay or lesbian domestic partnerships. Under California law, ‘domestic partners shall have the same rights, protections, and benefits’ as married spouses. (Family Code § 297.5.) There are NO exceptions. Proposition 8 WILL NOT change this.’ Voter...

Wilson v. Superior Court, 134 Cal. App. 3d 173

... aspect of Proposition 8, other than the bail provision, that contributed to the drop off of votes as between the two propositions. We note, without deciding, that Proposition 4 concerning bail which passed by a larger number of votes than did Proposition 8 may prevail only over those provisions in Proposition 8 relating to bail to the extent there is a conflict in the provisions of the two propositions. See Cal. Const. art. XVIII, § 4. California Constitution, article XVIII, section 4...

Brosnahan v. Brown, 32 Cal. 3d 236

... of the state. Proposition 4 passed with over 82 percent of the electorate voting in its favor. Proposition 8 received only
**Strengths**

**Content**
- News
- Matthew Bender titles
- Public records (Accurint)

**Features**
- Shepard’s
- Lexis for Microsoft Office (LMO)

**Price**
- Less expensive than Westlaw
- No additional cost for Advance
Strengths

Content
Thomson, West, Rutter Group treatises

Features
West’s digest system
WLN search is superior
• incorporates digest, KeyCite, crowdsourcing
WLN came out 1st and is beyond more of the growing pains of a new platform

A Note on Price: Surcharge for WLN
Classic platforms are on their way out

- Lexis: within 2–3 years; starting this summer you must login via LexisAdvance
- Westlaw: no date announced

Boolean searching is still relevant

- can get better results even on nextgen platforms
- newest kid on the block, Bloomberg, encourages Boolean

Industry experts are still expecting Bloomberg to compete
PRACTICE GUIDES
Key Sources You Will Need: Practice Guides

- Step-by-step manuals on every imaginable legal scenario that you will have to prepare for.
§1.5  c. Legal Custody Checklist

Requesting simply “joint legal custody” will, in most contested custody cases, not be sufficient to resolve the many problems clients will face as they try to make decisions for their children. The Family Code anticipates the creation of language that will be specific to the needs of each case. See Fam C §3083. Because it is impossible to predict what will happen in each individual case, however, drafting some “reasonable standard language” and requesting its incorporation into the clients’ judgments is good practice.

The following are examples of ways in which specificity may alleviate conflict in joint legal custody arrangements.

CHECKLIST

1. Consistent Refusal to Notify Other Parent of Important Dates or Events

*Problem:* One party consistently refuses to notify the other of important medical appointments or extracurricular activities.

*Solution:* An order specifying a minimum time frame in which such information is to be provided. Alternatively, an order that parents exchange a weekly or monthly schedule pertaining to upcoming events. Another alternative may be utilizing an online computer program designed for family scheduling that is accessible from different computers and mobile devices.

2. One Party Lacks Information About Child’s Medical or Other Providers

*Problem:* One party (likely the lower timeshare parent) is not given information regarding the child’s providers, be it medical, educational, or other.

*Solution:* An order specifying that both parents be listed on all information forms for the children, so that school and health information will be provided to both parents.

3. Existing Timeshare Severs Contact Between Child and Parent With Lower Timeshare

*Problem:* Because of the alternation of custodial time, the lower timeshare parent may have periods of time in which contact with the child is severed for days or even weeks at a time.

*Solution:* Provided the age of the child makes such an order feasible, an order providing for regular (or, if appropriate, unlimited) telephone or computer (webcam) contact for both parents. This fundamental goal is inherent in Fam C §3020(b), which states as its goal that each child should be provided frequent and continuing contact with both parents.

4. Parent Takes New Spouse’s Surname and Wants to Change Child’s Name

*Problem:* The child’s mother marries (or remarries) and takes the last name of her new spouse. She believes that it would be easiest for the child if the child shares the new name of his or her mother.
§19.50  B. Form: Child Abduction Prevention Order Attachment (Judicial Council Form FL-341(B))

PETITIONER: ___________________________  CASE NUMBER: ___________________________

RESPONDENT: ___________________________

CHILD ABDUCTION PREVENTION ORDER ATTACHMENT

TO □ Child Custody and Visitation Order Attachment (Form FL-341(A)) □ Other (specify):

1. The court finds there is a risk that (specify name of parent): __________ will take the child without permission because that parent (check all that apply):
   a. □ has violated—or threatened to violate—a custody or visitation order in the past.
   b. □ does not have strong ties to California.
   c. □ has some things that make it easy for him or her to take the children away without any permission, such as (check all that apply):
      □ sold his or her home;
      □ closed a bank account;
      □ ended a lease;
      □ sold or gotten rid of assets;
      □ hidden or destroyed documents;
      □ applied for a passport, birth certificate, or school or medical records;
      □ Other (specify): __________

   d. □ has a history of (check all that apply):
      □ domestic violence;
      □ child abuse;
      □ not cooperating with the other parent in parenting.

   e. □ has a criminal record.

   f. □ has family or emotional ties to another country, state, or foreign county.
      (NOTE: If item “f” is checked, at least one other factor must be checked, too.)

THE COURT ORDERS, to prevent the parent in item 1 from taking the children without permission:

2. □ Supervised visitation. Terms of visitation are (check one):
      □ as specified on attached form FL-341(A)  □ as follows: ____________
# Key Sources You Will Need: Practice Guides

<table>
<thead>
<tr>
<th>Source</th>
<th>Description</th>
<th>Access Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westlaw</td>
<td>Practice Guides &amp; Encyclopedias: Rutter Group, Bancroft-Whitney, Witkin, Cal Jur, and many others</td>
<td>From the Westlaw home page, select <a href="#">Secondary Sources</a>, then select California</td>
</tr>
<tr>
<td>Lexis</td>
<td>Practice Guides &amp; Encyclopedias: Matthew Bender, Witkin, Cal Jur</td>
<td>From the homepage, click Browse Sources in the upper right hand corner. Then use the facets on the left to select Secondary Sources and California</td>
</tr>
</tbody>
</table>
WestlawNext

<table>
<thead>
<tr>
<th>Federal Materials</th>
<th>State Materials</th>
<th>Topics</th>
<th>Tools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cases</td>
<td>Briefs</td>
<td></td>
<td>Dockets</td>
</tr>
<tr>
<td>Statutes &amp; Court Rules</td>
<td>Trial Court Documents</td>
<td></td>
<td>News</td>
</tr>
<tr>
<td>Regulations</td>
<td>Expert Materials</td>
<td></td>
<td>Legislative History</td>
</tr>
<tr>
<td>Administrative Decisions &amp; Guidance</td>
<td>Jury Verdicts &amp; Settlements</td>
<td></td>
<td>Sample Agreements</td>
</tr>
<tr>
<td>Trial Court Orders</td>
<td>Proposed &amp; Enacted Legislation</td>
<td></td>
<td>Patents</td>
</tr>
<tr>
<td><strong>Secondary Sources</strong></td>
<td>Proposed &amp; Adopted Regulations</td>
<td></td>
<td>Public Records</td>
</tr>
<tr>
<td>Forms</td>
<td>Arbitration Materials</td>
<td></td>
<td>Trial &amp; Oral Argument Transcripts</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Directories</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Business Information</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>International Materials</td>
</tr>
</tbody>
</table>
### Secondary Sources

See specific publication for coverage information. Search all Secondary Sources content above or navigate to specific content below.

#### By Type
- American Law Reports
- Texts & Treatises
- Law Reviews & Journals
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- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- New Hampshire
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  - Stanford Law Review
  - UCLA Law Review

Forms
- California Real Estate Forms (Miller & Starr)
- California Transactions Forms
- Rutter Group-California Practice Guide: Civil Procedure Before Trial Forms
- Westlaw eforms: California State & Federal Courts & Agencies
- West's California Code Forms with Commentaries

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- California Civil Jury Instructions (BAJI)
- California Jury Instructions-Criminal
- Judicial Council of California Civil Jury Instructions
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Chapter 4. Conflicts Of Interest
Chapter 5. Attorney Fees And Fee Agreements
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Chapter 7. Confidentiality And Privilege
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Search document contents by hovering over a heading below.

- Portfolio 5000-5th: Accounting for Income Taxes — FASB ASC 740
- Portfolio 5001-1st: Accounting for Income Taxes: Fundamental Principles and Special Topics
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- Portfolio 5003-2nd: Accounting for Income Taxes: Uncertain Tax Positions — Selected Topics
- Portfolio 5004-1st: Accounting for Income Taxes: Uncertain Tax Positions in Transfer Pricing
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1 free year available once you become a member of the CA bar.
CEB OnLaw – Search by keyword or form
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• Unrestricted access to everything ends when you graduate

• Attorneys use free sites to supplement their WL/Lexis research
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Amicus brief filed by the National Legal Foundation, filed in *Pickup v. Brown*, 9th Circuit #12-17681
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Browsing search result list: $10/min; $0 t/a
Browsing search result list: $10/min; $0 t/a
Amicus Curiae Brief for Catholics for the Common Good and The Marriage Law Project in Support of Petitioners

Hollingsworth v. Perry  Supreme Court of the United States. (Approx. 21 pages)

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**DAVID PICKUP, ET AL V. EDMUND BROWN, JR., ET AL**

12-17681 (Approx. 15 pages)

**CASE INFORMATION**

- **Case Number:** 12-17681
- **Fee Status:** PAID
- **Case Type:** APPEALS
- **Case Subtype:** CIVIL PRIVATE
- **Nature of Suit:** 3440 OTHER CIVIL RIGHTS
- **Key Nature of Suit:** APPEALS (030)

**LOWER COURT INFORMATION**

- **District:** 0972-2
- **Lower Court Docket Number:** 2:12-CV-02497-KJM-EBF
- **Trial Judge(s):** KIMBERLY J. MUeller, DISTRICT JUDGE
- **Court Reporter(s):** CATHERINE E.F. BODENE

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01/11/2013 ENTERED APPEARANCE OF AMICUS CORRIAL NLF [8470725] (RH)

01/09/2013 SUBMITTED (ECF) AMICUS BRIEF FOR REVIEW (BY GOVERNMENT OR WITH CONSENT PER FRAP 29(A)). SUBMITTED BY THE NATIONAL LEGAL FOUNDATION. DATE OF SERVICE: 01/09/2013. [8466460] (SWF)


01/08/2013 FILED (ECF) APPELLANTS JOHN DOE 2, JOHN DOE 1, NARTH, DAVID H. PICKUP, CHRISTOPHER H. ROSICK, JOSEPH NICOLOSI, ROBERT VAZZO, AMERICAN ASSOCIATION OF CHRISTIAN COUNSELORS, JACK DOE 1, JANE DOE 1, JACK DOE 2 AND JANE DOE 2 CORRESPONDENCE: NOTICE OF UNAVAILABILITY. [8456824] [COURT UPDATE: EDITED DOCKET TEXT TO REFLECT CONTENT OF FILING. RESERVE NDA. 01/08/2013 BY RY] (MDS)

01/07/2013 RECEIVED 7 PAPER COPIES OF OPENING BRIEF [11] FILED BY APPELLANTS. [8464328] (SD)

01/07/2013 FILED ORDER (ALFRED T. GOODWIN, EDWARD LEAVY AND MILAN D. SMITH, JR.) THE COURT SUA SPONTE EXPEDITES THE CALENDARING OF THIS PRELIMINARY INJUNCTION APPEAL. THE CLERK SHALL CALENDAR THIS CASE DURING THE WEEK OF APRIL 15, 2013 IN SAN FRANCISCO, CALIFORNIA. THE OPENING BRIEF HAS BEEN FILED. THE PREVIOUSLY ESTABLISHED BRIEFING SCHEDULE REMAINS IN EFFECT... [8464089] (KKW)

01/03/2013 FILED APPELLANTS’ PAPER COPIES OF EXCERPTS OF RECORD IN 3 VOLUME(S). [8460044] (JB)
Costs:

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**SB 1172 - Sexual Orientation Change Efforts**

Due to the level of interest in this case, this site has been created to notify the media and public of procedures and rules for admission to proceedings, as well as access to case information.

**Please check this website regularly for updates.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Document Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/04/13</td>
<td>Amicus Brief by California Faith for Equality, et al. (13-15023)</td>
</tr>
<tr>
<td>02/04/13</td>
<td>Amicus Brief by Children’s Law Center, et al. (13-15023)</td>
</tr>
<tr>
<td>02/04/13</td>
<td>Amicus Brief by ACLU of Northern California (13-15023)</td>
</tr>
<tr>
<td>02/04/13</td>
<td>Amicus Brief by Equality California (13-15022)</td>
</tr>
<tr>
<td>02/04/13</td>
<td>Amicus Brief by Health Law Scholars (13-15023)</td>
</tr>
<tr>
<td>02/04/13</td>
<td>Amicus brief by Survivors of Sexual Orientation Change Efforts (13-15023)</td>
</tr>
<tr>
<td>02/04/13</td>
<td>Amicus brief by First Amendment Scholars (13-15023)</td>
</tr>
<tr>
<td>01/30/13</td>
<td>Answering Brief by Defendants-Appellees</td>
</tr>
<tr>
<td>01/28/13</td>
<td>Defendants-Appellants’ Opening Brief (13-15023)</td>
</tr>
<tr>
<td>01/17/13</td>
<td>Court Order Consolidating for Argument (12-17681, 13-15023)</td>
</tr>
<tr>
<td>01/09/13</td>
<td>Amicus brief by the National Legal Foundation</td>
</tr>
<tr>
<td>01/09/13</td>
<td>Correspondence regarding Calendar</td>
</tr>
<tr>
<td>01/07/13</td>
<td>Order regarding Calendar</td>
</tr>
<tr>
<td>01/02/13</td>
<td>Plaintiffs-Appellants’ Opening Brief</td>
</tr>
<tr>
<td>12/21/12</td>
<td>Order Granting Injunction Pending Appeal</td>
</tr>
</tbody>
</table>
What can you expect to find?

• Legislative: codes, legislative history

• Courts: caselaw, court rules, jury instructions, forms

• General legal portals

• Agency materials
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About California Courts
California has 58 superior courts to hear civil and criminal cases, as well as the Courts of Appeal and Supreme Court.

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Jury Info, Court Info, Court Websites
Enter city or zip
Find

STAY CONNECTED

OF CURRENT INTEREST
Feb 09, 2012
Interim Director Appointed
At a special meeting today, the Judicial Council appointed Regional Administrative Director Joey Patel as Interim Administrative Director following the resignation of Ronald G. Overhoff.

Jan 25, 2012
Budget Remains Top Priority
Eviction & Housing

Access information about evictions, foreclosures, and security deposits. Find instructions, forms, and answers to frequently asked questions.

Evictions (Unlawful Detainers)
Learn about the eviction process with a guide for landlords, a guide for tenants, detailed instructions, forms, and resources.

Foreclosure
Find information and resources regarding the foreclosure process.

Security Deposits
Learn about security deposits, what are valid legal reasons for a landlord to keep all or part of a security deposit, and how to go to court to ask for the return of a security deposit.

RELATED INFORMATION

- Find out if you live in a rent-controlled city
- Small Claims
Eviction

Ending a tenancy

In California, a landlord may be able to evict a tenant if the tenant:

- Fails to pay the rent on time;
- Breaks the lease or rental agreement and will not fix the problem (like keeping when pets are not allowed);
- Damages the property bringing down the value (commits "waste");
- Becomes a serious nuisance by disturbing other tenants and neighbors even after being asked to stop; or
- Uses the property to do something illegal.

In most cities, the landlord can also evict the tenant:

- If the tenant stays after the lease is up, or
- If the landlord cancels the rental agreement by giving proper notice.

*If your city has rent control, these 2 reasons may not be good enough to evict a tenant. Most rental units in California are not rent-controlled. But if the unit is in a city with rent control, there usually are more protections in place for tenants that you need to know. The best way to find out if rent control applies to a unit is to check with the local city or county government, planning and zoning department, or with the local legal aid, self-help center, or law library. Or, click to find out if the property is in a rent-controlled area.*

To Evict a Tenant
Guide for Landlords

The Eviction Process

Giving Notice

In order to start the eviction process, you, as the landlord, must first give the tenant written notice. If the tenant does not do what the notice asks, you can file an unlawful detainer case in court when the notice period ends.

Sometimes figuring out what type of notice is needed can be difficult. Talk to an eviction lawyer to make sure you are using the right notice and that you are filling it out correctly. Eviction notices are not court forms, but many of the notice forms can be purchased in stores that sell legal forms. Make sure the form you use meets the requirements of current California law, because if there are mistakes in the notice, you might lose the case automatically.

There are different types of notices, as explained in the following table.

3-Day Notice to Pay Rent or Quit

Landlords can use this notice when the tenant is behind on the rent.

The notice must:

- Be in writing;
- Say the full name of the tenant or tenants;
- Say the address of the rental property;
- Say exactly how much rent the tenant owes* (the notice cannot go back more than 1 year, even if the tenant owes back rent for a longer time, and it cannot include any charge other than rent);
- Have the dates the overdue rent is for;
- Say that this rent must be paid in full within 3 days of receiving this notice or the tenant must move out;

* By law, you cannot use the 3-day notice to recover rent owed for more than one year.
In a rent-controlled city, the landlord may not be able to evict a tenant when the lease is up unless the landlord has a good reason (“just cause”), to file an eviction case. The landlord will probably need a notice in that case.

How to give notice

You have to serve the notice on the tenant properly. You can do it yourself, or you can ask a friend to do it. You can also hire a process server. The person who serves the notice must be at least 18 years old.

There are 3 ways to serve the notice:

1. Personal service: You or someone else gives the notice directly to the tenant in person.
2. Substituted service: If the tenant is not home, you can leave the notice with a member of the household, at least 18 years old, where the tenant lives and then mail a second copy to the tenant at the property.
3. Posting and mailing ("nail and mail") service: If there is no one home to leave the papers with, you can tape or nail the notice to the front door or somewhere where it can be seen easily AND send a copy by mail to the tenant at the property.

After giving notice

Once you give the tenant notice, you must wait until the notice period is up to see if the tenant does what the notice asks within the time allowed. If the tenant does not comply, you can file an unlawful detainer case in court to evict the tenant and request back rent. If the tenant does what the notice requires (like pay the back rent in full), then you cannot file an unlawful detainer case.

If the notice is not correctable, such as a 3-day notice to quit or a 30- or 60-day notice to quit (move out) in a month-to-month tenancy, you can file an unlawful detainer case in court when the notice period ends.

If you file the eviction case in court before the notice runs out, the court will dismiss the case.

To count the days in the notice period:

- The first day is the day after the notice is served.
- Then count every day on the calendar, including weekends and holidays.
- If the last day of the notice period falls on a holiday or weekend, then the notice period ends the next work day.

If you do not serve the notice in person and have to mail a second copy, you have to make sure that you do not start counting until the day after you mail the notice.

Starting the Unlawful Detainer Case

There are a number of steps you have to follow in an unlawful detainer case. If you and the tenant reach an agreement at any point during this process, the agreement can be written up and the case dismissed. Read more information about...
Starting the Unlawful Detainer Case

There are a number of steps you have to follow in an unlawful detainer case. If you and the tenant reach an agreement at any point during this process, the agreement can be written up and the case dismissed. Read for more information about resolving the case out of court by agreement.

Also, remember that evictions can be complicated. The landlord and tenant do not have to get a lawyer. But, there are strict court rules and court forms you have to fill out, file, and serve. The rules and forms are complicated. And if you do not do things correctly, you may lose your case. There may be legal help in your county for landlords trying to evict a tenant. You can also check with your court’s self-help center to see if they help people with unlawful detainer cases.

1. Fill out the forms

To start the unlawful detainer case, you have to fill out 3 court forms:

- Summons - Unlawful Detainer (Form SUM-120);
- Complaint - Unlawful Detainer (Form UD-100); and
- Civil Case Cover Sheet (Form CM-010).

Your local court also may require you to fill out other local forms, so make sure you check with the court clerk to make sure you have filled out all the necessary papers.

In completing the complaint, keep in mind:

- The plaintiff is usually the owner or landlord, or the management company if its name is on the lease. But sometimes the plaintiff may be a person who is subletting to another tenant. For example, a tenant renting a house from the landlord may rent a room to another person, and that person would be a subtenant.
- The tenant who lives at the rental unit is the defendant. There can be more than 1 defendant.
- You must try to list the names of all adults living at the rental unit. This will make it easier to enforce the judgment if you win.

When completing the complaint, only you or your lawyer can decide what to say in the complaint. It is illegal for a nonlawyer, including a paralegal or legal assistant, to tell you what to say. Go through the form carefully and make sure you check all the boxes that apply to your case.

If your court’s self-help center helps with unlawful detainer cases, take your paperwork to them to review. They cannot give you legal advice, but they can make sure you completed the forms so they can be filed. You can also hire your own lawyer to review your papers or to get legal advice, either with your entire case, or just the parts of it that you may need more help with (called “limited scope representation” or “unbundling”). Click for help finding a lawyer. Click to learn more about “limited scope representation.”
To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.
4. Fill out and file the proof of service

The server must first complete and sign a Proof of Service of Summons (Form POS-210) and give it to you (the landlord).

You must then take the completed, signed Proof of Service to the court clerk with a copy for yourself. You must make sure the Proof of Service is filled out correctly. A mistake on this form can delay the case.

5. Wait the required time for the tenant to respond

- If the tenant was served in person, the tenant has 5 days to respond. Weekends are counted (holidays are not), but the 5th day must be a work day. So if the 5 days run out on a Saturday or Sunday, the tenant has until the end of the day on Monday (or the end of the day on Tuesday if Monday is a court holiday) to file a response.
- If the tenant was served by substituted service or "post and mail," the tenant has 15 days after the date the server mailed the court papers to file a response. The date of mailing is the postmark date.

Note: If there is more than 1 defendant (tenant), there could be different deadlines if they were served in different ways or on different days. You have to keep track of the deadline for each defendant.

6. The tenant’s response

The tenant may or may not file a response, which will then determine what your next step is.

If the tenant does NOT respond

If the tenant does not file a response within 5 days, you may be able to evict him or her without the tenant having a say in the case. This can affect the tenant’s ability to rent in the future because he or she will have an eviction on his or her record. And if you say the tenant owes money for back rent and the tenant does not answer, you may be able to take that money from the tenant’s paycheck or bank account. An eviction can also affect the tenant’s credit record.

First, you must make sure that the tenant’s time to respond is over.

Then, you must ask the court to make an order in your favor. This is called a "default judgment," and it means the tenant will not be able to fight the case in court.

To do this, you must fill out and file these forms:

- Request for Entry of Default (Form CIV-100)
- Judgment—Unlawful Detainer (Form UD-110)
- Writ of Execution (or Writ of Possession) (Form ED-120)
<table>
<thead>
<tr>
<th>Form</th>
<th>Date Revised</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>PLF-PF-001</td>
<td>Jan 1, 2007</td>
<td>COMPLAINT-Personal Injury, Property Damage, Wrongful Death</td>
</tr>
<tr>
<td>PLF-PF-001/1</td>
<td>Jan 1, 2007</td>
<td>Cause Of Action-Motor Vehicle</td>
</tr>
<tr>
<td>PLF-PF-001/2</td>
<td>Jan 1, 2007</td>
<td>Cause of Action-General Negligence</td>
</tr>
<tr>
<td>PLF-PF-001/3</td>
<td>Jan 1, 2007</td>
<td>Cause of Action-Intentional Tres</td>
</tr>
<tr>
<td>PLF-PF-001/4</td>
<td>Jan 1, 2007</td>
<td>Cause of Action-Premises Liability</td>
</tr>
<tr>
<td>PLF-PF-001/5</td>
<td>Jan 1, 2007</td>
<td>Cause of Action-Products Liability</td>
</tr>
<tr>
<td>PLF-PF-001/6</td>
<td>Jan 1, 2007</td>
<td>Exemplary Damages/Attachment</td>
</tr>
<tr>
<td>PLF-PF-002</td>
<td>Jan 1, 2007</td>
<td>Cross-Complaint-Personal Injury, Property Damage, Wrongful Death</td>
</tr>
<tr>
<td>PLF-PF-003</td>
<td>Jan 1, 2007</td>
<td>ANSWER-Personal Injury, Property Damage, Wrongful Death</td>
</tr>
</tbody>
</table>
Please fill out the following form:

<table>
<thead>
<tr>
<th>PLD-PI-001</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</td>
</tr>
<tr>
<td>TELEPHONE NO:</td>
</tr>
<tr>
<td>E-MAIL ADDRESS (Optional):</td>
</tr>
<tr>
<td>ATTORNEY FOR: (Name):</td>
</tr>
<tr>
<td>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</td>
</tr>
<tr>
<td>STREET ADDRESS:</td>
</tr>
<tr>
<td>MAILING ADDRESS:</td>
</tr>
<tr>
<td>CITY AND ZIP CODE:</td>
</tr>
<tr>
<td>BRANCH NAME:</td>
</tr>
<tr>
<td>PLAINTIFF:</td>
</tr>
<tr>
<td>DEFENDANT:</td>
</tr>
<tr>
<td>DOES 1 TO</td>
</tr>
<tr>
<td>COMPLAINT—Personal Injury, Property Damage, Wrongful Death</td>
</tr>
<tr>
<td>AMENDED (Number):</td>
</tr>
<tr>
<td>Type (check all that apply):</td>
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<tr>
<td>MOTOR VEHICLE</td>
</tr>
<tr>
<td>Property Damage</td>
</tr>
<tr>
<td>Personal Injury</td>
</tr>
<tr>
<td>Jurisdiction (check all that apply):</td>
</tr>
<tr>
<td>ACTION IS A LIMITED CIVIL CASE</td>
</tr>
<tr>
<td>Amount demanded:</td>
</tr>
<tr>
<td>does not exceed $10,000</td>
</tr>
<tr>
<td>ACTION IS AN UNLIMITED CIVIL CASE (exceeds $25,000)</td>
</tr>
<tr>
<td>ACTION IS RECLASSIFIED by this amended complaint</td>
</tr>
<tr>
<td>from limited to unlimited</td>
</tr>
<tr>
<td>CASE NUMBER:</td>
</tr>
</tbody>
</table>

To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.
CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

Jury Service Basics
Employer Information
California Jury Instructions
References and Resources
Jury Innovations

About California Courts
Find My Court
FAQs

EXPEDITED JURY TRIALS
A Streamlined Jury Trial Process for Handling CMJ Actions

JURY SERVICE BASICS

• Learn About the Trial Process

EMPLOYER INFORMATION

• Sample Jury Service Leave Policies

REFERENCES AND RESOURCES

• Frequently Asked Questions
• Glossary

JURY INNOVATIONS

• Expedited Jury Trials
• Jury Administration and Management
• Model Juror Summons Project

FOCUS ON THE COURTROOM

THANK YOU FOR YOUR SERVICE!
The poster above is a reminder to jurors that bans on research and dissemination of trial-related information apply to all forms of electronic and
422 Sale of Alcoholic Beverages to Obviously Intoxicated Minors (Bus. & Prof. Code, § 23020.13)
422. Sale of Alcoholic Beverages to Obviously Intoxicated Minors
(Eus. & Prof. Code, § 25602.1)

[Name of plaintiff] claims [name of defendant] is responsible for [his/her] harm because [name of defendant] sold or gave alcoholic beverages to [name of alleged minor], a minor who was already obviously intoxicated.

To establish this claim, [name of plaintiff] must prove all of the following:

1. That [name of defendant] was [licensed/authorized/required to be licensed or authorized] to sell alcoholic beverages;
2. That [name of defendant] sold or gave alcoholic beverages to [name of alleged minor];
3. That [name of alleged minor] was less than 21 years old at the time;
4. That when [name of defendant] provided the alcoholic beverages, [name of alleged minor] displayed symptoms that would lead a reasonable person to conclude that [he/she] was obviously intoxicated;
5. That [name of alleged minor] harmed [name of plaintiff]; and
6. That [name of defendant]’s selling or giving alcoholic beverages to [name of alleged minor] was a substantial factor in causing [name of plaintiff]’s harm.

In deciding whether [name of alleged minor] was obviously intoxicated, you may consider whether [he/she] displayed one or more of the following symptoms to [name of defendant] before the alcoholic beverages were provided: impaired judgment; alcoholic breath; incoherent or slurred speech; poor muscular coordination; staggering or unsteady walk or loss of balance; loud, boisterous, or argumentative conduct; flushed face; or other symptoms of intoxication. The mere fact that [name of alleged minor] had been drinking is not enough.

New September 2003; Revised December 2009

Directions for Use

If the plaintiff is the minor who is suing for his or her own injuries (see Chayes v. Aspen Mine Co. (1985) 175 Cal.App.3d 973, 974 [221 Cal.Rptr. 97]), modify the instruction by substituting the appropriate pronoun for “[name of alleged minor].”
CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

Rules of Court

The California Rules of Court found on the California Courts Web site are current as of January 1, 2012.

California Rules of Court

<table>
<thead>
<tr>
<th>Title One. Rules Applicable to All Courts (Rules 1.1 - 1.200)</th>
<th>HTML</th>
<th>PDF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title Two. Trial Court Rules (Rules 2.1 - 2.600)</td>
<td>HTML</td>
<td>PDF</td>
</tr>
<tr>
<td>Title Three. Civil Rules (Rules 3.1 - 3.2120)</td>
<td>HTML</td>
<td>PDF</td>
</tr>
<tr>
<td>Title Four. Criminal Rules (Rules 4.1 - 4.700)</td>
<td>HTML</td>
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</tr>
<tr>
<td>Title Five. Family and Juvenile Rules (Rules 5.1 - 5.630)</td>
<td>HTML</td>
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<tr>
<td>Title Six. [Reserved]</td>
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</tr>
<tr>
<td>Title Seven. Probate Rules (Rules 7.1 - 7.1101)</td>
<td>HTML</td>
<td>PDF</td>
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<tr>
<td>Title Eight. Appellate Rules (Rules 8.1 - 8.1125)</td>
<td>HTML</td>
<td>PDF</td>
</tr>
<tr>
<td>Title Nine. Rules on Law Practice, Attorneys, and Judges (Rules 9.1 - 9.61)</td>
<td>HTML</td>
<td>PDF</td>
</tr>
<tr>
<td>Title Ten. Judicial Administration Rules (Rules 10.1 - 10.1030)</td>
<td>HTML</td>
<td>PDF</td>
</tr>
</tbody>
</table>
Title 3. Civil Rules

Division 1. General Provisions

Chapter 1. Preliminary Rules

Rule 3.1. Title

Rule 3.1. Title

The rules in this title may be referred to as the Civil Rules.


Chapter 2. Scope of the Civil Rules

Rule 3.10. Application

Rule 3.20. Preemption of local rules
renumbered as rule 3.1030 effective January 1, 2007.

Article 5. Summary Judgment Motions

Title 3, Civil Rules—Division 11, Law and Motion—Chapter 6, Particular Motions—Article 5, Summary Judgment Motions renumbered effective January 1, 2009; adopted as article 4 effective January 1, 2007.

Rule 3.1350. Motion for summary judgment or summary adjudication
Rule 3.1352. Objections to evidence
Rule 3.1354. Written objections to evidence
Rule 3.1351. Motions for summary judgment in summary proceeding involving possession of real property

Rule 3.1350. Motion for summary judgment or summary adjudication

(a) Motion

As used in this rule, “motion” refers to either a motion for summary judgment or a motion for summary adjudication.
(e) Documents in opposition to motion

Except as provided in Code of Civil Procedure section 437c(r) and rule 3.1351, the opposition to a motion must consist of the following documents, separately stapled and titled as shown:

1. [Opposing party’s] memorandum in opposition to [moving party’s] motion for summary judgment or summary adjudication or both;

2. [Opposing party’s] separate statement of undisputed material facts in opposition to [moving party’s] motion for summary judgment or summary adjudication or both;

3. [Opposing party’s] evidence in opposition to [moving party’s] motion for summary judgment or summary adjudication or both (if appropriate); and

4. [Opposing party’s] request for judicial notice in opposition to [moving party’s] motion for summary judgment or summary adjudication or both (if appropriate).

(Subd (e) amended effective January 1, 2009; previously amended effective January 1, 2002, and January 1, 2007.)

(f) Opposition to motion; content of separate statement

Each material fact claimed by the moving party to be undisputed must be set out verbatim on the left side of the page, below which must be set out the evidence said by the moving party to establish that fact, complete with the moving party’s references to exhibits. On the
ISSUE 1—THE FIRST CAUSE OF ACTION FOR NEGLIGENCE IS BARRED BECAUSE PLAINTIFF EXPRESSLY ASSUMED THE RISK OF INJURY

<table>
<thead>
<tr>
<th>Moving Party’s Undisputed Material Facts and Alleged Supporting Evidence:</th>
<th>Opposing Party’s Response and Evidence:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Plaintiff was injured while mountain climbing on a trip with Any Company USA. Plaintiff’s deposition, 12:3-4.</td>
<td>Undisputed.</td>
</tr>
</tbody>
</table>

(Subd (h) amended effective July 1, 2008; previously amended effective January 1, 1999, January 1, 2002, and January 1, 2008.)

(i) **Request for electronic version of separate statement**

On request, a party must within three days provide to any other party or the court an electronic version of its separate statement. The electronic version may be provided in any form on which the parties agree. If the parties are unable to agree on the form, the
Practical Law Company

• Free to USD students (registration required)

• Provides legal know-how for transactional matters & federal litigation (litigation is growing)

• Find overviews of different practice areas, including finance, corporate, employment, IP, real estate, tax, etc.

• Model documents with drafting and practice tips
Corporate & Securities Practice Center

**Topics**
- Bankruptcy
- Business Entities
- Capital Markets
- Corporate Governance and Continuous Disclosure
- Mergers and Acquisitions
- Joint Ventures
- Private Equity

**Most Popular**
2. Compensation Committee Charter
3. Annual Report on Form 10-K Toolkit
4. Updating Financial Statements: The Staleness Rules
5. Corporation Law State Q&As

**Features**
- Updates
  - PLC What’s Market: Underwriting Agreements for the Week Ending March 1, 2013
- What’s Market
  - Create customized reports for public merger agreements, private acquisition agreements and equity offerings.

**What’s New**
- Resources Published in the Last 12 Months

**Actions**
- View your Account
- Sign up for Legal Updates by E-mail or RSS Feed
- Request Training
- Request Free Trial
Annual Report on Form 10-K Toolkit

Resource type: Practice Note: Overview
Status: Maintained
Jurisdiction: USA

Resources to prepare an annual report on Form 10-K.

**PLC Corporate & Securities**

Under the federal securities laws, reporting companies must disclose information on a continuous basis. Each year companies must file an annual report on Form 10-K that provides business and financial information for the most recently completed fiscal year.

Form 10-K is the most comprehensive periodic report required to be filed with the SEC. It:

- Provides information about a company’s business and financial condition.
- Includes audited financial statements for its two or three most recently completed fiscal years.

Form 10-K is different from, and provides more detailed information than, the annual report to stockholders, which provides a summary of the current state of the company and is delivered to stockholders with proxy materials for the annual stockholders’ meeting. In contrast, Form 10-K contains most of the information that would also be provided in a registration statement for an offering of securities.

The SEC has been increasingly focused on improving the adequacy, transparency and completeness of company reporting. For example, the SEC staff has indicated that, when reviewing a company’s Form 10-K and other periodic reports, they also review the company’s earnings calls and press releases and other information the company makes publicly available (potentially including information posted on
Practice Notes

- Form 10-K
- Annual Report to Stockholders
- Risk Factors: What Keeps You Up At Night?
- Periodic Reporting and Disclosure Obligations: Overview
- Preparation of Compensation Discussion and Analysis
- Preparation of Management’s Discussion and Analysis of Financial Condition and Results of Operations
- Forward-looking Statements: Securing the Safe Harbor
- Regulation S-X: What Lawyers Need to Know
- SEC Review of Periodic Reports
- Using Non-GAAP Financial Information
- XBRL Reporting Requirements
- Late Filings on Form 12b-25

Standard Documents and Clauses

- Directors’ and Officers’ Questionnaire: Periodic Reports
Form 10-K

Resource type: Practice Note
Status: Maintained
Jurisdiction: USA

This Note explains what a Form 10-K is and describes the information required in a Form 10-K, including incorporation by reference to other documents. This Note discusses how to prepare a Form 10-K, including the parties involved, significant sources of information, tips on drafting the document and performing a form check. This Note also describes how and when to file a Form 10-K with the SEC and the securities exchanges. In addition, this Note reviews the impact of a failure to file a Form 10-K report, including antifraud liability and inability to use other forms of registration.

PLC Corporate & Securities

Contents

- What is Included in a Form 10-K
  - Special Accommodations Available to Emerging Growth Companies under the JOBS Act
  - Cover Page
  - Part I Information
  - Part II Information
  - Part III Information
  - Part IV Information
  - Signatures

- Preparing the Form 10-K
  - Parties Involved
  - Sources of Company Information
  - Drafting the Document
  - Form Check

- Incorporation by Reference
  - Filing the Form 10-K
  - When to File a Form 10-K
  - How to File with the SEC

Related content

Topics
- Corporate Governance and Continuous Disclosure
- Periodic Reporting and Disclosure Obligations: Overview
- Practice Notes
  - Annual Report to Stockholders
  - Late Filings on Form 12b-25
  - Preparation of Compensation Discussion and Analysis
  - Preparation of Management’s Discussion and Analysis of Financial Condition and Results of Operations
  - Regulation S-X: What Lawyers Need to Know
  - SEC Review of Periodic Reports
  - Using Non-GAAP Financial Information
  - XBRL Reporting Requirements

Standard Documents
- Directors’ and Officers’ Questionnaire: Periodic Reports
- Response to SEC Comments: Periodic Reports
- Sarbanes-Oxley Certification under Section 302 of the Act
- Sarbanes-Oxley Certification under Section 906 of the Act

Standard Clauses
- Audit Committee Resolutions: Approving Financial Information and Periodic Reports
- Board Resolutions: Approving Financial Information and Periodic Reports

Checklist
- Deadlines for Filing Periodic Reports: Chart
Drafting the Document

Since Form 10-K presents the company’s business and financial information, generally it is prepared by the company (by the accounting and legal departments), subject to review by, and any other requested assistance from, the company’s auditors and outside counsel. To help collect information required by the Form 10-K that relates to directors and officers, the company prepares a directors' and officers' questionnaire which it sends out to each director and executive officer of the company (see Standard Document, Directors’ and Officers’ Questionnaire: Periodic Reports). The company uses the responses provided in the questionnaires to help prepare the Part III information as well as information for the proxy statement.

Since the time for filing (see Filing the Form 10-K) is short, given the quantity of information that must be collected and the financial information that must be prepared, it is time-effective and cost-efficient for the company to prepare the form internally and have outside counsel review it when ready. The company's auditors are involved at an earlier stage than the company's outside counsel. However, if the company has a small accounting or legal department, or either department is overwhelmed with other work going on at the same time or if it is the first periodic report being filed after the company has completed its initial public offering, the company may prefer to have its outside counsel prepare substantial portions of the Form 10-K with company assistance. The company never requests outside counsel to prepare the financial statements or the related notes. If outside counsel is preparing the Form 10-K on behalf of the company, it is not uncommon for a junior associate to be assigned responsibility for the drafting.

Form Check

Once there is an advanced draft of the Form 10-K, a junior attorney in the company’s legal department or at the company’s outside counsel may be asked to perform a “form check”. This essential though tedious part in the preparation of the Form 10-K is designed to make sure the report complies with all the requirements set out in the applicable form. The attorney must read the form and its instructions item by item and ensure that the information required under each item is included in the draft Form 10-K. This process takes time because each item in the form contains references to other items under specific SEC regulations, such as Regulation S-K and Regulation S-X (see What is Included in a Form 10-K?), which in turn must be carefully analyzed.

Incorporation by Reference

The company can omit some or all of the Part III information from its Form 10-K and incorporate this information by reference from its proxy statement if the company files its proxy statement within 120 days after the end of its fiscal year. If the company decides to incorporate this information by reference, it must provide a statement to that effect in the Form 10-K under each affected item under Part III.

If the company files its Form 10-K intending to incorporate the Part III information by reference from its proxy statement but is unable to file its proxy statement by the 120th day after the end of its fiscal year, the company must instead amend its Form 10-K, and file a Form 10-K/A (see Amending the Form 10-K) by the 120th day after the end of its fiscal year to eliminate the incorporation by reference and include all of the Part III information (see Practice Note, Proxy Statements: Timing).

In addition, if the company prepares an annual report to stockholders that is separate from its Form 10-K, the company may incorporate some or all of the Part I and Part II information required to be in the Form 10-K by reference from its annual
Summer Associate Survival Guide

Hit the ground running this summer with the essential Summer Associate Survival Guide. The Guide includes dozens of step-by-step, straightforward resources to help you ace summer assignments.

Antitrust
- Hart-Scott-Rodino Analysis and Filing
- Counseling on Information Exchanges and Gun-jumping in Mergers
- Analyzing a Horizontal Merger
- Allocating Antitrust Risk in a Horizontal Merger
- Creating an Antitrust Compliance Program
- Dealing with Resale Price Maintenance Issues
- Handling Antitrust Criminal Investigations

Commercial
- Drafting Effective General Contract Clauses and Boilerplate Provisions
- Understanding Basic Contract Building Blocks, Risk Allocation Tools and Remedies
- Protecting Confidential Information
- Protecting Against Bribery and Corruption - FCPA Fundamentals
- Key Considerations in a Joint Venture Transaction

Financing
- Scope of the Securities Act, Exchange Act and related rules and regulations affecting offerings and periodic reporting
- Offering documents (offering memoranda/prospectuses), basic agreements and board resolutions for offerings of debt and equity securities (registered and unregistered)
- Basics of due diligence for securities transactions
- Disclosure required by the Securities Act and Exchange Act forms (including drafting/reviewing disclosure in offering documents)
- Running the closing of an offering (including preparation of necessary closing certificates)
- Duties and obligations of a board of directors
- Board Committees

Employee Benefits & Executive Compensation
- Types of benefit plans and their respective advantages: defined contribution and defined benefit plans, qualified and nonqualified plans, fully-insured and self-funded plans
- General fiduciary responsibilities under ERISA
Running a signing and closing process (including drafting closing checklists, resolutions and closing certificates)

Forming a corporation and an LLC (including drafting/approving all short-form organizational documents)

Finance

- Finance Fundamentals
- Fundamentals of a lending transaction (including all relevant agreements)
- Basic elements of UCC Article 9
- Reviewing UCC lien search reports
- Running a loan closing process (including preparing a closing checklist, drafting closing certificates and resolutions)
- Basics of due diligence for a loan transaction
- The Finance Industry

Labor & Employment

- Navigating discrimination, harassment and retaliation law
- Basics of employment contracts
- Employment non-competees and protection of employers' confidential information/trade secrets
- Wage and hour law (including exemption issues and independent contractor misclassification)
- Employment litigation and the anatomy of a federal case
- Leave law and Disability Accommodation
- Individual Terminations and Layoffs and the Worker Adjustment and Retraining Notification (WARN) Act
- Labor law overview
- Basics of employment immigration and verifying work eligibility

IP and the Web: Internet, e-commerce and new media issues (including domain name searches/registration, website terms of use and privacy policies)

Key types of intellectual property and technology agreements (including non-disclosure agreements, licenses, assignments and copyright work-for-hire)

IP in Corporate M&A/Finance transactions

Litigation: Federal

- Litigation Resources for Every Case
- Commencing a Federal Lawsuit
- Guide to Removal and Remand
- Filing and Serving Documents in Federal Court
- Navigating Discovery in Federal Litigation
- Second Circuit Civil Appeals Process
A step-by-step guide to drafting a federal court complaint and preparing the other case initiating documents according to the Federal Rules of Civil Procedure (FRCP). Specifically, this Practice Note explains how to draft the caption, demand a jury trial, structure the body of the complaint and comply with federal pleading standards (including pleading standards under the Supreme Court’s Twombly and Iqbal decisions, pleading facts based on information and belief and pleading foreign law and special matters with particularity). This Note also explains how to prepare the other case initiating documents, including the summons, Rule 7.1 disclosure statement and civil cover sheet.

Contents

- Drafting the Caption of the Complaint
  - Court-provided Docket Number
  - Naming All of the Parties
  - Class Action Designation
  - Jury Demand
- Drafting the Body of the Complaint
  - Preliminary Statement
  - Jurisdiction
  - Venue
  - Parties
  - Facts
  - Legal Claims
  - Prayer for Relief
- Drafting the Signature Block of the Complaint
  - Legal Effect of Signature
  - Verification Not Required
- Pleading Standards and Requirements
  - Complaint Must Contain a Short and Plain Statement of the Claim
  - Pleading Matters
  - Pleading Foreign Law
  - Pleading Requirements for Class Actions
  - Pleading Requirements for Derivative Actions
- Attaching Exhibits to the Complaint
Complaint Must Contain a Short and Plain Statement of the Claim

Generally, a complaint must include only a short and plain statement of the claim showing that the plaintiff is entitled to relief (FRCP 8(a)(2)). This standard does not require the plaintiff to plead detailed factual allegations (see Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) citing Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)). However, it does require the complaint to contain facts sufficient to give rise to a claim that is plausible on its face (see Iqbal, 556 U.S. at 678 citing Twombly, 550 U.S. at 570). A claim has facial plausibility when the plaintiff pleads facts that allow the court to draw a reasonable inference that the defendant is liable for the misconduct alleged (see Iqbal, 556 U.S. at 678 citing Twombly, 550 U.S. at 556).

Allegations Based on "Information and Belief"

If the plaintiff does not know all of the facts at the time the complaint is filed, it may allege that certain facts are true based on "information and belief." However, the plaintiff must still have a good faith basis to make the allegation (see FRCP 11(b) and Pirelli Armstrong Tire Corp. Retiree Med. Benefits Trust v. Walgreen Co., 631 F.3d 436, 442 (7th Cir. 2011)).

Following the US Supreme Court decisions in Twombly and Iqbal, most courts have held that the plausibility standard may be met when facts are pleaded on information and belief if either:

- The facts are peculiarly within the possession and control of the defendant.
- The belief is based on facts that make the inference of culpability plausible.

(See Arista Records, LLC v. Doe 3, 604 F.3d 110, 120 (2d Cir. 2010); see also Belik v. Carlson Travel Group, Inc., No. 11-cv-21136, 2011 WL 2221224, at *7 (S.D. Fla. June 6, 2011) (pleading on information and belief permissible when facts are peculiarly in defendant’s possession) and Simonian v. Elsamex, Inc., No. 10-cv-1201, 2010 WL 4539450, at *3 (N.D. Ill. Nov. 3, 2010) (same); but see New Albany Tractor, Inc. v. Louisville Tractor, Inc., 650 F.3d 1046, 1051 (6th Cir. 2011) (pleading standard set out in Twombly and Iqbal required dismissal of complaint even when facts were solely within the control of defendant)).

Pleading Special Matters

Plaintiff’s counsel must be aware that there are standards for pleading certain special matters, including:

- A party’s capacity to sue and legal existence.
- Fraud or mistake and conditions of mind.
- Conditions precedent.
- Official documents or acts.
- Judgments.
- Allegations of time and place.
**Complaint (Federal)**

**Resource type:** Standard Document  
**Status:** Maintained  
**Jurisdiction:** USA

A sample complaint that may be used to commence a civil lawsuit in federal district court. This Standard Document contains integrated drafting notes with important explanations and tips for drafting the complaint’s caption, preliminary statement, jurisdiction and venue sections, facts section, legal claims, prayer for relief and signature block. It also contains a sample verification page for shareholder derivative and other complaints that must be verified by the plaintiff.

**PLC Litigation**

**Note: Read This Before Using**

UNITED STATES DISTRICT COURT FOR THE [________] DISTRICT OF [________]

... X ...

Plaintiff(s), [ __ Ov. ____ (__) (__) ]

against

[NAME].

... X ...

COMPLAINT

[CLASS ACTION]

[NAME].

[ _ JURY TRIAL DEMANDED _ ]

**Note: Caption**

[PLAINTIFF(S)], by and through [its/their] attorneys, [LAW FIRM NAME], for [its/their] Complaint against [DEFENDANT (S)], allege[s], on knowledge as to [its/their] own actions, and otherwise upon information and belief, as follows:

**PRELIMINARY STATEMENT**

1. This is a [BRIEF DESCRIPTION OF ACTION AND CITATION TO RELEVANT LAWS OR STATUTES UNDERLYING PLAINTIFF’S CLAIM].

2. Plaintiff seeks [AMOUNT OF DAMAGES AND ANY EQUITABLE OR OTHER RELIEF SOUGHT].

**Note: Preliminary Statement**
UNITED STATES DISTRICT COURT FOR THE
[_________] DISTRICT OF [_________]
____________________________________-X

[NAME],

Plaintiff(s),

against

[NAME],

Defendant(s).

____________________________________-X

[PLAINTIFF(S)], by and through [its/their] attorneys, [LAW FIRM NAME], for
[its/their] Complaint against [DEFENDANT(S)], allege[s], on knowledge as to [its/their] own
actions, and otherwise upon information and belief, as follows:

PRELIMINARY STATEMENT

1. This is a [BRIEF DESCRIPTION OF ACTION AND CITATION TO
RELEVANT LAWS OR STATUTES UNDERLYING PLAINTIFF’S CLAIM].

2. Plaintiff seeks [AMOUNT OF DAMAGES AND ANY EQUITABLE OR
OTHER RELIEF SOUGHT].

JURISDICTION

3. [This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331, in that
this is a civil action arising under [APPLICABLE FEDERAL LAWS, STATUTES OR
TREATIES].]
QUESTIONS?
Research Questions?

Contact the LRC Reference Librarians

lrcref@sandiego.edu
(619) 260-4612

We can help!