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For Academic Package

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- 背景資料
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- 加值好康

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- Westlaw Canadian Materials 加拿大
- Westlaw HK 香港
- Westlaw Australia 澳大利亞



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 - Federal Register
 - All State Statutes
- Cases: All Federal and All States, fully cross-referenced from 1658

第二手資料

- Commentary including:
 - American Law Reports
 - American Jurisprudence
 - Corpus Juris Secundum
- Journals including:
 - Harvard Law Review
 - Chicago Journal of International Law
 - Yale Journal of International Law
 - Cornell Law Review
- US Uniform Laws Annotated

United Kingdom

- Statutes from 1267 (fully consolidated)
- Cases from 1865, including:
 - The Law Reports
 - Common Market Law Reports
 - Fleet Street Reports
 - Weekly Law Reports
- Journals including:
 - Criminal Law Review
 - International Arbitration Law Review
 - Civil Justice Quarterly
 - Intellectual Property Quarterly

Australia

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 - Commonwealth Law Reports
 - Federal Law Reports
 - Federal Court Reports

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- Comprehensive European Union Legislation
- Cases from 1954, including:
 - European Commercial Cases
 - European Patent Office Reports
 - European Human Rights Reports
- Journals including:
 - European Intellectual Property Review
 - European Human Rights Review
 - EU Focus

Hong Kong

- Cases from 1905, including:
 - Hong Kong Law Reports
 - Hong Kong Criminal Law Reports
- Journals:
 - Hong Kong Law Journal
 - Chinese Journal of International Law

Miscellaneous

- Black's Law Dictionary
- WTO & GATT Panel Decisions

Canada

- Canadian Statutes
(Federal, Provincial and Territorial Statutes)
- Canadian Abridgement
- Canadian Cases from 1825
- Carswell Law Reports
- Federal Court Reports

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 - Financial Times - The Economist
 - Forbes - Time
 - Bloomberg - Transcripts from major news channels; BBC, CNN etc
 - Reuters News



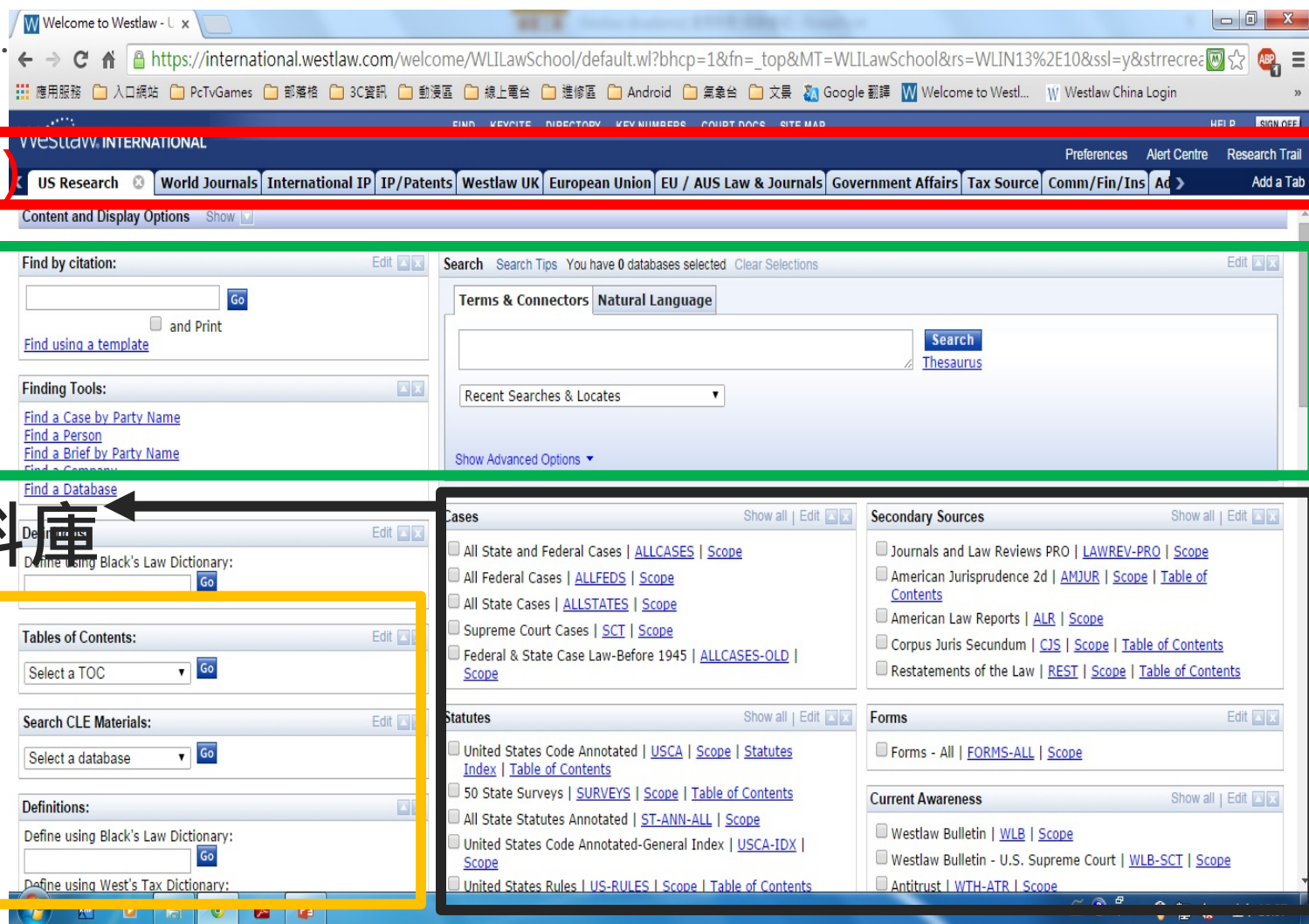
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類別分頁(TAB)

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4 Docs

Related Info
121 S.Ct. 525

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Some negative history but not overruled **KeyCite**

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ALR
[1. Challenges to Presidential Electoral College and Electors](#)

Am.Jur.2d: Elections
[2. Election Contests, In General, Constitutional Issues; Recounts](#)

Corpus Juris Secundum: United States
[3. Government, President, Powers and Duties; Proclamations and Executive Orders](#)

Bush v. Gore
531 U.S. 98, 121 S.Ct. 525
U.S.Fla., 2000.
December 12, 2000 (Approx. 34 pages)

531 U.S. 98, 121 S.Ct. 525, 148 L.Ed.2d 388, 69 USLW 4029, 00 Cal. Daily Op. Serv. 9879, 2000 Daily Journal D.A.R. 13,163, 14 Fla. L. Weekly Fed. S 26

[Briefs and Other Related Documents](#)
[Judges, Attorneys and Experts](#)
[Oral Argument Transcripts with Streaming Media](#)

Supreme Court of the United States
George W. **BUSH**, et al., Petitioners,
v.
Albert **GORE**, Jr., et al.

No. 00-949.
Argued Dec. 11, 2000.
Dec. 12, 2000.

Democratic candidates for President and Vice President of the United States filed complaint contesting certification of state results in presidential election. The Circuit Court, Leon County, [N. Sanders Sauls, J.](#), entered judgment denying all relief, and candidates appealed. The District Court of Appeal certified the matter to the Florida Supreme Court. On review, the Florida Supreme Court, [772 So.2d 1243](#), ordered manual recounts of ballots on which machines had failed to detect vote for President. Republican candidates filed emergency application for stay of Florida Supreme Court's mandate. The United States Supreme Court, [531 U.S. 1046](#), [121 S.Ct. 512](#), [148 L.Ed.2d 553](#), granted application, treating it as petition for writ of certiorari, and granted certiorari. The Supreme Court held that: (1) manual recounts ordered by Florida Supreme Court, without specific standards to implement its order to discern "intent of the voter," did not satisfy minimum requirement for non-arbitrary treatment of voters necessary, under Equal Protection Clause, to secure fundamental right to vote for President, and (2) remand of case to Florida Supreme Court for it to order constitutionally proper contest would not be appropriate remedy.

Chief Justice Rehnquist filed concurring opinion in which Justice Scalia and Thomas joined.

Term Doc 1 of 4 Tools Go

判決本文或法條本文

關鍵字/切換頁

WESTLAW INTERNATIONAL 介面介紹 (3)

查詢結果清單

The screenshot shows the Westlaw International search results page. The browser address bar displays the URL: <https://international.westlaw.com/result/default.wl?mt=WLILawSchool&db=SCT&vr=2.0&rp=%2fsearch%2fdefault.wl&ss=CNT&scxt=WL&rs=WL>. The page header includes navigation tabs such as FIND, KEYCITE, DIRECTORY, KEY NUMBERS, COURT DOCS, and SITE MAP. The search results are displayed in a list format, with the first result highlighted in yellow. The highlighted result is for the case **Bush v. Gore**, 531 U.S. 98, 121 S.Ct. 525, 148 L.Ed.2d 388, 69 USLW 4029, 00 Cal. Daily Op. Serv. 9879, 2000 Daily Journal D.A.R. 13,163, 14 Fla. L. Weekly Fed. S 26, U.S. Fla., December 12, 2000 (NO. 00-949). The result is listed as 1. **Bush v. Gore**. Below the highlighted result, there are links for [Full Screen List](#), [Edit Search](#), [Locate in Result](#), and [Result Options](#). The page also includes a sidebar with a search bar and a list of results. The main content area displays the case details for **Bush v. Gore**, including the citation, the court (Supreme Court of the United States), the parties (George W. BUSH, et al., Petitioners, v. Albert GORE, Jr., et al.), and the date (December 12, 2000). The page also includes a summary of the case, stating that the Supreme Court held that manual recounts ordered by the Florida Supreme Court, without specific standards to implement its order to discern "intent of the voter," did not satisfy minimum requirements for non-arbitrary treatment of voters necessary, under Equal Protection Clause, to secure fundamental right to vote for President, and (2) remand of case to Florida Supreme Court for it to order constitutionally proper contest would not be appropriate remedy. The page also includes a section for **Briefs and Other Related Documents**, [Judges, Attorneys and Experts](#), and [Oral Argument Transcripts with Streaming Media](#). The page footer includes a search bar and a list of results.

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CITATIONS介紹

Citation是指引文標注方式，**Citation Format**系統編號。

• 範例：

• **386 US 487**

• **35 USCA 282**

• **109 HARV L REV 125**

• **US PAT 7255627**



CITATIONS介紹

386



第386卷

US



美國最高法院判決書

487



第487頁



CITATIONS介紹

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TITLE 35

USCA



美國法典

§ 282



第282條



CITATIONS介紹

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第109卷

HARV L REV



哈佛Law Review期刊

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第125頁



CITATIONS介紹

US	PAT	7255627
↓	↓	↓
美國	專利法	檔案編號

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Find By Citation 的功能-結果 (Search Result)

The screenshot shows the Westlaw International search results page for the case **Brown v. Board of Ed. of Topeka, Shawnee County, Kan.**. The page is divided into several sections:

- Header:** Westlaw INTERNATIONAL, FIND, KEYCITE, DIRECTORY, KEY NUMBERS, COURT DOCS, SITE MAP, HELP, SIGN OFF.
- Navigation:** US Law Classic, US/ UK/ Dockets Research, New York, California, Westlaw Patents, Patent Practitioner, Intellectual Property, Litigator, Westlaw Patents, Europe, Add a Tab.
- Result List:** 1 Doc, Related Info 74 S.Ct. 686.
- Find citation:** Input field and Go button.
- Some negative history but not overruled:** KeyCite link.
- Full History:** Direct History, (Graphical View), Citing References, Monitor With KeyCite Alert.
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- Petitions, Briefs & Filings:** View All Results.
- ResultsPlus:** View All Results.
- Corpus Juris Secundum: Civil Rights:** 1. Racial Segregation, In General, Generally.
- Am.Jur.2d: Evidence:** 2. Specific Matters Judicially Noticed, Economic and Financial Facts, Facts Relating to Agriculture and Farmland.
- ALR:** 3. Comment Note, Racial Segregation.
- Table of Authorities:** View All Results, List of ResultsPlus Publications.

The main content area displays the case details:

- Brown v. Board of Ed. of Topeka, Shawnee County, Kan.**
- 347 U.S. 483, 74 S.Ct. 686, 38 A.L.R.2d 1180, 98 L.Ed. 873, 53 O.O. 326**
- U.S. 1954.**
- May 17, 1954 (Approx. 8 pages)**
- West Reporter Image (PDF)**
- Briefs and Other Related Documents**
- Supreme Court of the United States**
- BROWN et al.**
- v.**
- BOARD OF EDUCATION OF TOPEKA, SHAWNEE COUNTY, KAN., et al.**
- Reargued Dec. 7, 8, 9, 1953.**
- Decided May 17, 1954.**
- Class actions originating in the four states of Kansas, South Carolina, Virginia, and Delaware, by which minor Negro plaintiffs sought to obtain admission to public schools on a nonsegregated basis. On direct appeals by plaintiffs from adverse decisions in the United States District Courts, District of Kansas, 98 F.Supp. 797, Eastern District of South Carolina, 103 F.Supp. 920, and Eastern District of Virginia, 103 F.Supp. 337, and on grant of certiorari after decision favorable to plaintiffs in the Supreme Court of Delaware, 91 A.2d 137, the United States Supreme Court, Mr. Chief Justice Warren, held that segregation of children in public schools solely on the basis of race, even though the physical facilities and other tangible factors may be equal, deprives the children of the minority group of equal educational opportunities, in contravention of the Equal Protection Clause of the Fourteenth Amendment.**
- Cases ordered restored to docket for further argument regarding formulation of decrees.**

A red arrow points from the citation **347 U.S. 483** to a text box that reads:

直接提供該Citation
(e.g. 347 us 483) 的案件

FIND by Party Name 的功能

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Result List 3 Docs

Related Info 2010 WL 3855361

Mirror Worlds, LLC v. Apple, Inc.
Slip Copy, 2010 WL 3855361
E.D.Tex., 2010.
September 30, 2010 (Approx. 2 pages)

顯示符合Mirror Words和Apple的結果清單

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Am.Jur.2d: Patents
2. Infringement, In General, Doctrine of Equivalents-What Constitutes Equivalency

Am.Jur. Proof of Facts
3. Establishing Liability for Infringement of a Utility Patent

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Judges, Attorneys and Experts
Only the Westlaw citation is currently available.

United States District Court,
E.D. Texas,
Tyler Division
MIRROR WORLDS, LLC, Plaintiff,
v.
APPLE, INC., Defendant.

No. 6:08-CV-88.
Sept. 30, 2010.

Alexander Solo, Charles E. Cantine, Ian Gregg Dibernardo, Iuliana Tanase, Joseph Diamante, Kenneth L. Stein, Stroock & Stroock & Lavan, LLP, New York, NY, Deborah J. Race, James Patrick Kelley, Otis W. Carroll, Jr., Ireland Carroll & Kelley, Tyler, TX, for Plaintiff.

Jeffrey G. Randall, Raymond W. Yu, Paul Hastings Janofsky & Walker LLP, Palo Alto, CA, Adam A. Biggs, Eric M. Albritton, Albritton Law Firm, Longview, TX, Allan M. Soobert, Brock S. Weber, Kim Moore, Paul Hastings Janofsky & Walker, Washington, DC, Jeffrey Comeau, S. Christian Platt, Paul Hastings Janofsky & Walker, San Diego, CA, for Defendant.

MEMORANDUM OPINION AND ORDER

LEONARD DAVIS, District Judge.

*I Having considered the parties' briefing and oral argument regarding non-infringement under the doctrine of equivalents for claims 16 and 18 of the '427 Patent, the Court GRANTS Apple's motion for judgment as a matter of law ("JMOL") on doctrine of equivalents ("DOE") under independent claim 16 and dependent claim 18 of the '427 patent.

JMOL "is appropriate only when a 'reasonable jury would not have a legally sufficient evidentiary basis to find for the party on that issue.'" Kinetic Concepts, Inc. v. Blue Sky Med. Group, Inc., 554 F.3d 1010, 1017 (Fed.Cir.2009) (quoting Cambridge Toxicology Group, Inc. v. Exnicios, 495 F.3d 169, 179 (5th Cir.2007), quoting FED. R. CIV. P. 50(a)(1)). In determining whether to grant JMOL, a court reviews all the evidence in the record and must draw all reasonable inferences in favor of the nonmoving

Term Doc 1 of 3 Tools Go

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與關鍵字相應之原告、被告案例

布林邏輯和自然語言檢索 的介紹

The screenshot shows the Westlaw International search interface. The top navigation bar includes links like FIND, KEYCITE, DIRECTORY, KEY NUMBERS, COURT DOCS, and SITE MAP. The main search area is divided into sections for 'Terms & Connectors' and 'Natural Language'. The 'Terms & Connectors' section shows a search query 'director/s duty /p "minority shareholder"' and a list of connectors and expanders. The 'Natural Language' section is highlighted with a red arrow and a text box explaining its function. Other sections include 'Find by citation', 'Finding Tools', 'KeyCite this citation', 'Sticky Notes', 'Search for a database', 'Definitions', 'Cases', 'Statutes', and 'Secondary Sources'.

布林邏輯

自然語言檢索

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建立檢索詞間的關係，
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Terms & Connectors Natural Language

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- **and (&)** Terms in the same document 各檢索詞在同一份文獻上
- **phrase “ ”** Terms appearing in the exact order 查詢完全相符之檢索
詞 (建議使用)
- **or (space)** Terms in the alternative 其中一個檢索詞在同一份文獻上
(不建議使用)
- **/s** Terms in the same sentence 各檢索詞在同一個句子上
- **/p** Terms in the same paragraph 各檢索詞在同一段落上 (建
議使用)
- **/n** Terms within “n” terms of each other 各檢索詞之間隔字
數
- **Root Expander**
 - To retrieve words with variant endings, use **the root expander (!)**. When you place an exclamation point (!) at the end of a root term, you retrieve all possible endings of that root. For example, **obey!** retrieves **obey, obeys, obeyed and obeying.**



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All Federal & State Cases (ALLCASES)

Terms & Connectors Natural Language

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Fields: Select an Option

Add Connectors or Expanders [Help](#)

&	AND	/s	In same sentence
space	OR	+s	Preceding within sentence
" "	Phrase	/p	In same paragraph
%	But not	+p	Preceding within paragraph
!	Root expander	/n	Within n terms of
*	Universal character	+n	Preceding within n terms of

-這例子表示director 與 duty 要在同一句,
duty 與 "minority shareholder" 要在同一段.
-"minority shareholder"
表示要 minority 和 shareholder 一同尋找

輸入關鍵詞，
並以適當之Connectors連接

可限定查詢之日期範圍

Connectors提示

布林邏輯-可限定查詢的範圍

The screenshot displays the Westlaw search interface. On the left, a dropdown menu titled 'Select an Option' lists various search criteria: Court - CO(), Synopsis - SY(), Digest - DI(), Synopsis/Digest - SY,DI(), Background - BG(), Holding - HG(), Words-Phrases - WP(), Topic - TO(), Headnote - HE(), References - RE(), Judge - JU(), Attorney - AT(), Opinions - OP(), Full-Text - FT(), Lead - LE(), Concurring - CON(), Dissenting - DIS(), Prelim - PR(), Notes - NO(), Docket-Number - DN(), Panel - PA(), Title - TI(), Citation - CI(), and Image - IM(). Below this, the 'Add Connectors or Expanders' section lists symbols and their functions: & (AND), space (OR), " " (Phrase), % (But not), | (Root expander), * (Universal character), /s (In same sentence), +s (Preceding within sentence), /p (In same paragraph), +p (Preceding within paragraph), /n (Within n terms of), and +n (Preceding within n terms of). A red arrow points from this section to a text box on the right.

可限定查詢的範圍,例如可限定查詢定法官名字或律師名字

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布林邏輯-展示查詢結果

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Result List 994 Docs

Related Info 2010 WL 5176852

Full Screen List Edit Search | Locate in Results Result Options

顯示檢索結果清單

紅旗 (red flag) :
代表該案件之法律見解，已被推翻，不具法律效力。

Cardinalli v. Cardinalli
Not Reported in Cal.Rptr.3d, 2010 WL 5176852
Cal.App. 6 Dist., 2010.
December 21, 2010 (Approx. 12 pages)

Citation 號碼

Not Reported in Cal.Rptr.3d, 2010 WL 5176852 (Cal.App. 6 Dist.)
Not Officially Published
(Cal. Rules of Court, Rules 8.1105 and 8.1110, 8.1115)
[Judges and Attorneys](#)
Only the Westlaw citation is currently available.

California Rules of Court, rule 8.1115, restricts citation of unpublished opinions in California courts.

Court of Appeal, Sixth District, California.
Sal J. CARDINALLI, Plaintiff and Appellant,
v.
John T. CARDINALLI, Jr. et al., Defendants and Respondents.

No. H032309.
(Monterey County Super. Ct. No. M71906).
Dec. 21, 2010.

Hugo N. Gerstl, Monterey, CA, for Plaintiff and Appellant.

Daniel P. Schrader, Fischer Schrader, LLP, Monterey, CA, Mark G. Bonino, Hayes Scott Bonino Ellingson & McLay, LLP, Redwood City, CA, for Defendant and Respondent.

DUFFY, J.

*1 This appeal arises from disputes relating to a family-owned taxicab business, Monterey Checker Transportation, Inc. (Checker). Plaintiff Sal Cardinalli, his father, John Cardinalli, Sr., and his brothers, John Cardinalli, Jr., and Stephen Cardinalli, each owned a 25 percent share in Checker.^{FN1} In October 2004, plaintiff filed this action, asserting, among other things, that beginning in 2002, defendants had eliminated his \$3,000 monthly salary and his \$1,000 share of the rent from certain corporate realty and had transferred other corporate assets to themselves, breaching their fiduciary duties as majority shareholders to him, a minority shareholder. Plaintiff requested relief including actual and punitive damages, partition of real property, and an accounting. Plaintiff named as defendants his brothers, their wives, Checker and New Hope, Inc., a corporation formed to acquire Checker, but not his father.

FN1. Due to the common surname, we will refer to the parties by their given names.

黃底者為目前顯示之全文

Cal.App.2d 284, 293 A minority shareholder is not regarded as a client of the corporate counsel unless the shareholder has retained or reposed trust and confidence.....

2. Fink v. Atlas Stock Transfer Corp.,
Not Reported in Cal.Rptr.3d, 2010 WL 4887179,
Nonpublished/Noncitable (Cal. Rules of Court, Rules 8.1105 and 8.1110, 8.1115), Cal.App. 2 Dist., December 02, 2010 (NO. B215103)

...however, are clearly distinguishable from the facts at hand. In McMullin, the court conducted "an examination of the [board of directors] statutory duty and fiduciary responsibilities to minority shareholders in the specific context of evaluating a proposal for a sale of the entire corporation to a third party at...

...in which the interests of the majority shareholder and the company were in conflict. Id. at p. 921.) The plaintiffs, minority shareholders, alleged the board of directors initially voted to delegate the management of the sale process to a conflicted majority shareholder

Term Doc 1 of 994 Tools Go

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Westlaw International 版面操作介绍

布林邏輯

The screenshot displays the Westlaw International website. The top navigation bar includes links for FIND, KEYCITE, DIRECTORY, KEY NUMBERS, COURT DOCS, and SITE MAP. The main header shows 'US Law Classic' and 'US/ UK/ Dockets Research' tabs. The search results section on the left lists 'Result List' (994 Docs) and 'Related Info' (2010 WL 5176852). A pink arrow points from the 'Related Info' tab to a text box. The text box contains the text: '有關該案件的相關資料, 例如歷史, 圖像, 引用資料等等'. The main content area shows the document details for 'Not Reported in Cal.Rptr.3d, 2010 WL 5176852 (Cal.App. 6 Dist.)'. The document is titled 'Not Officially Published (Cal. Rules of Court, Rules 8.1105 and 8.1110, 8.1115) Judges and Attorneys'. The text indicates that only the Westlaw citation is currently available. The document is from the California Rules of Court, rule 8.1115, which restricts citation of unpublished opinions in California courts. The document is from the Court of Appeal, Sixth District, California, and is titled 'Sal J. CARDINALLI, Plaintiff and Appellant, v. John T. CARDINALLI, Jr. et al., Defendants and Respondents.' The document number is No. H032309, (Monterey County Super. Ct. No. M71906), dated Dec. 21, 2010. The document is authored by Hugo N. Gerstl, Monterey, CA, for Plaintiff and Appellant. The document is cited by Daniel P. Schrader, Fischer Schrader, LLP, Monterey, CA, and Mark G. Bonino, Hayes Scott Bonino Ellingson & McLay, LLP, Redwood City, CA, for Defendant and Respondent. The document is cited by DUFFY, J. The document is cited by *1. This appeal arises from disputes relating to a family-owned taxicab business, Monterey Checker Transportation, Inc. (Checker). Plaintiff Sal Cardinalli, his father, John Cardinalli, Sr., and his brothers, John Cardinalli, Jr., and Stephen Cardinalli, each owned a 25 percent share in Checker. FN1. In October 2004, plaintiff filed this action, asserting, among other things, that beginning in 2002, defendants had eliminated his \$3,000 monthly salary and his \$1,000 share of the rent from certain corporate realty and had transferred other corporate assets to themselves, breaching their fiduciary duties as majority shareholders to him, a minority shareholder. Plaintiff requested relief including actual and punitive damages, partition of real property, and an accounting. Plaintiff named as defendants his brothers, their wives, Checker and New Hope, Inc., a corporation formed to acquire Checker, but not his father. FN1. Due to the common surname, we will refer to the parties by their given names.

At the bottom of the page, there is a status bar showing 'Term', 'Doc 1 of 994', and a 'Go' button. The browser's address bar shows 'Internet' and '100%' zoom.

FULL HISTORY

The screenshot displays the Westlaw International interface for the case **Mirror Worlds, LLC v. Apple, Inc.** (Slip Copy, 2009 WL 2461808, E.D.Tex., 2009, August 11, 2009). The interface includes a top navigation bar with links like FIND, KEYCITE, DIRECTORY, KEY NUMBERS, COURT DOCS, and SITE MAP. A secondary bar contains various legal categories such as US Law Classic, US/ UK/ Dockets Research, New York, California, Westlaw Patents, Patent Practitioner, Intellectual Property, Litigator, Westlaw Patents, and Europe. The main content area is divided into several sections:

- Result List**: Shows 4 Docs and a Related list with 2009 WL 2461808.
- Full History**: A section highlighted with a red arrow, containing links for [Direct History \(Graphical View\)](#), [Citing References](#), and [Monitor With KeyCite Alert](#). It also includes a **Full-Text Document** link and a **Case Outline**.
- Petitions, Briefs & Filings**: A section with a [View All Results](#) link.
- ResultsPlus™**: A section with a [View All Results](#) link, containing links to [Am.Jur.2d: Patents](#) and [Corpus Juris Secundum: Patents](#).
- History**: A section showing all documents, including **Direct History** and **Related References**. The **Related References** section lists several documents, including [DOCUMENT STREAM OPERATING SYSTEM, US PAT 6006227](#) and [Mirror Worlds, LLC v. Apple, Inc., --- F.Supp.2d ----, 2010 \(NO. 6:08 CV 88\)](#).
- Court Documents**: A section showing **Trial Court Documents (U.S.A.)**, including [MIRROR WORLDS, LLC, Plaintiff, v. APPLE INC., Defendant. APPLE INC., Counterclaim Plaintiff, v. MIRROR WORLDS LLC, Mirror Worlds Technologies, Inc., Counterclaim Defendants., 2008 WL 5533089 \(Trial Pleading\) \(E.D.Tex. Nov. 25, 2008\)](#).

Two callout boxes provide additional context:

- Full History**: 包含 Direct History, Negative Citing References, Related Reference 等等
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Am.Jur.2d: Patents

1. Reexamination, Conduct of Reexamination, Stay or Consolidation of Concurrent Proceedings

Am.Jur.2d: Patents

2. Reexamination, Conduct of Reexamination, Scope of Reexamination

Corpus Juris Secundum: Patents

3. Examination and Proceedings in Patent Office, Examination of Application, Reexamination-Ex Parte Reexamination on Basis of Prior Art

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Mirror Worlds, LLC v. Apple, Inc.

Slip Copy, 2009 WL 2461808

E.D.Tex., 2009, August 11, 2009

Citing References

7 documents)

Cases (U.S.A.)

Cited

4704420, *3 (N.D.Cal. Nov 12, 2010) (NO. C-10-2475 VRW EMC)

Court Documents

Trial Court Documents (U.S.A.)

Trial Motions, Memoranda and Affidavits

2 SHARED MEMORY GRAPHICS, LLC, v. APPLE INC. et al., 2010 WL 4606127, *4606127+ (Trial Motion, Memorandum and Affidavit) (N.D.Cal. Sep 15, 2010) **Response In Support of Defendants' Joint Motion for Entry of Protective Order And Objections To Smg's Proposed Protective Order** (NO. 310CV02475) ★★

3 WI-LAN INC., Plaintiff, v. RESEARCH IN MOTION CORPORATION, Research in Motion Ltd., Motorola, Inc., Utstarcom, Inc., LG Electronics Mobile Comm U.S.A., and LG Electronics, Inc., Defendants., 2010 WL 2124628, *2124628+ (Trial Motion, Memorandum and Affidavit) (S.D.Cal. Apr 23, 2010) **Memorandum and Points of Authorities in Support of Wi-LAN Inc.'s Motion to Compel Third Party Qualcomm, Incorporated to Produce Documents, Information and Objects** (NO. 10CV0859WCAB) ★★

4 PERSONAL AUDIO, LLC, Plaintiff, v. APPLE INC., Sirius XM Radio, Inc., Coby Electronics, Corp., Archos, Inc., Defendants., 2010 WL 2747895, *2747895+ (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr 12, 2010) **Defendants' Reply in Support of Its Motion for a Protective Order** (NO. 909-CV-00111-RC) ★★ ★

5 PERSONAL AUDIO, LLC, Plaintiff, v. APPLE, INC., Sirius XM Radio, Inc., Coby Electronics, Corp., Archos, Inc., Defendants., 2010 WL 2747893, *2747893+ (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Apr 01, 2010) **Personal Audio, LLC's Response to Defendants' Motion for Protective Order** (NO. 909-CV-00111-RC) ★★ ★★

6 DAVIS-LYNCH, INC., Plaintiff, v. WEATHERFORD INT'L, INC., Defendant., 2009 WL 3227907, *3227907 (Trial Motion, Memorandum and Affidavit) (E.D.Tex. Aug 24, 2009) **Plaintiff Davis-Lynch, Inc.'s Reply to Defendant's Response to Plaintiff's Motion to Show Cause** (NO. 607-CV-559) ★★

提供其他案件引用本案之資訊

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Does a director owe a duty of care to minority shareholder?

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☐ American Jurisprudence Pleading and Practice Forms Annotated | AMJUR-PP | Scope | Table of Contents

☐ Federal Procedural Forms | FEDPROF | Scope | Table of Contents

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以淺顯的英文詞彙、語句檢索

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Related Info 765 A.2d 910

McMullin v. Beran
765 A.2d 910
Del. Supr., 2000.
November 20, 2000 (Approx. 27 pages)

Supreme Court of Delaware.
McMULLIN, Plaintiff below, Appellant,
v.
Walter F. BERAN, Anthony G. Fernandes, Mark L. Hazelwood, Alan R. Hirsig, John H. Kelley, Marie L. Knowles, James A. Middleton, Stephen R. Mut, Frank Savage, Marvin B. Schlanger, Walter J. Tusinski, Donald R. Voelte, Jr., Arco Chemical Company and Atlantic Richfield Company, Defendants below, Appellees.

No. 611, 1999.
Submitted: Aug. 21, 2000.
Decided: Nov. 20, 2000.

Purported **minority shareholder** of chemical corporation brought putative class action against corporation, its **directors**, majority **shareholder**, and petrochemical corporation, alleging that individual defendants and majority **shareholder**, aided and abetted by petrochemical corporation, breached their fiduciary **duties** in connection with sale of chemical corporation to petrochemical corporation in transaction negotiated by majority **shareholder**. After **minority shareholder** voluntarily dismissed corporations from action, the Court of Chancery, New Castle County, granted remaining defendants' motions to dismiss. **Minority shareholder** appealed. The Supreme Court, **Holland**, J., held that: (1) **directors** had **duty** to conduct a critical assessment of proposed sale and make independent determination whether sale maximized value for all **shareholders**; (2) **minority shareholder** stated claims for breaches of **duty** of **care** and loyalty; and (3) **minority shareholder** stated claim for breach of **duty** to disclose all material facts to **minority shareholders**.

Reversed and remanded.

West Headnotes

[1] KeyCite Citing References for this Headnote

30 Appeal and Error

Term Best Doc 1 of 100

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結果預設最相關的前100筆資料

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McMullin v. Beran
765 A.2d 910
Del. Supr., 2000.
November 20, 2000 (Approx. 27 pages)

West Reporter Image (PDF)
765 A.2d 910
Judges and Attorneys

Supreme Court of Delaware.
Mary E. McMULLIN, Plaintiff below, Appellant,
v.
Walter F. BERAN, Anthony G. Fernandes, Mark L. Hazelwood, Alan R. Hirsig, John H. Kelley, Marie L. Knowles, James A. Middleton, Stephen R. Mut, Frank Savage, Marvin B. Schlanger, Walter J. Tusinski, Donald R. Voelke, Jr., Arco Chemical Company and Atlantic Richfield Company, Defendants below, Appellees.

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1. McMullin v. Beran,
765 A.2d 910, Del. Supr., November 20, 2000 (NO. 611, 1999).

...shareholder, board of directors cannot realistically seek any alternative, as majority shareholder has right to vote its shares in favor of third-party transaction it proposed for board's consideration; nevertheless, in such situation, directors are obliged to make informed and deliberate judgment, in good faith, about whether sale to third party that is being proposed by majority shareholder will result in a maximization of value for minority shareholders. 8 Del.C. § 251. [18] Corporations 101.312 (5) 101 Corporations 101X Officers and Agents 101X(C) Rights, Duties, and Liabilities as to Corporation and Its Members 101 k31 Corporate Property, Funds, and Securities 101 k312(5) k Purchase and Sale of Property in General. Effective representation of financial interests of minority shareholders in connection with proposed sale of entire corporation at behest of majority shareholder imposed upon directors an affirmative responsibility to...

2. In re BHC Communications Shareholder Litigation, Inc.,
769 A.2d 1, Del.Ch., June 04, 2001 (NO. C.A. 18209, C.A. 18218).

...directors" on the subsidiary boards owed a duty of entire fairness "in negotiating terms of the mergers to reflect fairly and proportionately the value of [BHC and UTV] and the value of Chris-Craft. It further alleges that this duty was breached as a result of Chris-Craft having negotiated terms that unfairly favor its stockholders at the expense of the minority stockholders of BHC and UTV. Count II does not identify these "subservient directors" and does not specify what, if any, role any of them played in the negotiation of the BHC and UTV merger agreements. Count III alleges that the outside directors who served on the Special Committees violated their duty of care in approving the transactions on terms that are unfair to the minority stockholders. It also alleges that the other defendants aided and abetted in...

3. Miller v. Udall, Shumway, Blackhurst, Allen & Lyons, P.C.,
Not Reported in P.3d, 2000 WL 35730146, Ariz.App. Div. 1, May 11, 2000 (NO. 1 CA-CV 99-0261).

...Duty to Minority Shareholders ¶ 7 To maintain a legal malpractice claim, a plaintiff must demonstrate the existence of a duty of due care owed by the attorney defendant to the plaintiff. See, e.g., Phillips v. Clancy, 152 Ariz. 415, 418, 733 P.2d 300, 307 (App.1986). The existence of duty is a question of law for the court. Markowitz v. Arizona Parks Board, 146 Ariz. 352, 356, 706 P.2d 364, 368 (1985). ¶ 8 Generally, an attorney owes a duty only to the attorney's client, and for corporate counsel, the client is the corporation itself, not its shareholders or directors. Skarbrevik v. Cohen, England & Whitfield, 282 Cal.Rptr. 627, 632-34 (Cal.App.1991). Even in the case of a close corporation, courts have held that shareholders, directors and other corporate principals may not pursue a malpractice...

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reasonableness that, under any set of facts that could be proven to support the claims asserted, the plaintiffs would not be entitled to recover. Supreme Court Rule 12(b)
it appears with
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duty to

121 ViewCite Citing References for this Headnote
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88XVI Review
88XVI(A) Scope, Standards, and Extent, in General
88k862 Extent of Review Dependent on Nature of Decision Appealed from
88k863 k In General. Most Cited Cases

Determination, by Supreme Court on appellate review and trial court on motion to dismiss for failure to state a claim, of whether it appears with reasonable certainty that,

Term Best Doc 1 of 100

Done Internet 75%

• 檢索結果以相關程度排序呈現

Natural Language 自然語言檢索- Best Browsing

The screenshot shows the Westlaw International interface. The top navigation bar includes links for FIND, KEYCITE, DIRECTORY, KEY NUMBERS, COURT DOCS, and SITE MAP. The main search results are for the case 'McMullin v. Beran', 765 A.2d 910, Del. Supr., 2000. The results are displayed in a list on the left and a detailed view on the right. The detailed view shows the case title, citation, and a summary of the holding. The holding text is highlighted in yellow, showing the court's reasoning regarding the rights of minority shareholders. A callout box points to a specific paragraph in the holding, labeled 'Best browsing - 跳選至文章中最符合檢索條件的段落'. The interface also includes a 'Result List' on the left with a 'Full Screen List' link, and a 'Related Info' section with a '765 A.2d 910' link. The bottom of the screen shows a 'Tools' bar with a 'Go' button and a '125%' zoom level.

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1. McMullin v. Beran, 765 A.2d 910, Del. Supr., November 20, 2000 (NO. 611, 611, 1999)

...shareholder, board of directors cannot realistically seek any alternative, as majority shareholder has right to vote its shares in favor of third-party transaction it proposed for board's consideration; nevertheless, in such situations, directors are obliged to make informed and deliberate judgment, in good faith, about whether sale to third party that is being proposed by majority shareholder will result in a maximization of value for minority shareholders. 8 Del.C. § 251. [18]

Corporations 101 312(5) 101 Corporations 101X Officers and Agents 101X(C) Rights, Duties, and Liabilities as to Corporation and Its Members 101k312 Corporate Property, Funds, and Securities 101k312(5) k. Purchase and Sale of Property in General. Most Cited Cases

Effective representation of financial interests of minority shareholders in connection with proposed sale of entire corporation at behest of majority shareholder imposed upon directors an affirmative responsibility to protect minority shareholders' interests in connection with assessment of transaction and making a maximized value for all shareholders; directors must exercise due care so that minority shareholders accept tender offer price or to seek appraisal of their shares. 8 Del.C. § 251.

[18] KeyCite Citing References for this Headnote

[19] KeyCite Citing References for this Headnote

101 Corporations

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KeyCite 的功能



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Am.Jur.2d: Workers' Compensation
1. In General, Overview: Definitions of Terms, Necessity That Accident or Injury Arise Out of and in Course of Employment

Am.Jur.2d: Workers' Compensation
2. In General, Tests, Standards, and Criteria for Determining Causation, Tests as to Whether Accident or Injury Arises Out of Employment

Am.Jur. Proof of Facts
3. Workers' Compensation: Special Mission Exception to Going-and-Coming Rule

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Negative Cases (U.S.A.)

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Mitchell v. Clark County School Dist., 111 P.3d 1104, 1107, 121 Nev. 179, 184 (Nev. May 26, 2005) (NO. 40999) ★★
HN: 6,7 (N.W.2d)

Positive Cases (U.S.A.)

★★★★ Examined

Benco Mfg. v. Albertsen, 764 N.W.2d 783, 783+ (Iowa App. Feb 04, 2009) (Table, text in (Table, text in WESTLAW)) ★★ HN: 11,12,13 (N.W.2d)

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Meyer v. IBP, Inc., 710 N.W.2d 213, 222+ (Iowa Feb 17, 2006) (NO. 04-1911) ★★ HN: 9,11 (N.W.2d)

McIlravy v. North River Ins. Co., 653 N.W.2d 323, 332+ (Iowa Oct 09, 2002) (NO. 01-0008) ★★ HN: 6,9,10 (N.W.2d)

Ace Const. v. McIlravy, 2001 WL 355692, *1+ (Iowa App. Apr 11, 2001) (NO. 00-1096) HN: 3 (N.W.2d)

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Gilbert v. USF Holland, Inc., 637 N.W.2d 194, 199 (Iowa Dec 19, 2001) (NO. 00-0873) ★★ HN: 6,11 (N.W.2d)

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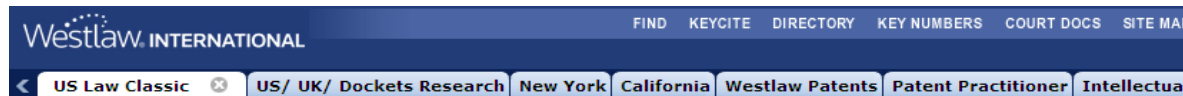
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