

Review of *Business and Commercial Litigation in Federal Courts, Fourth Edition*,
Robert L. Haig, Editor

There are some experienced lawyers who might respond skeptically to a proposed hefty investment in a detailed fourteen-volume treatise on the litigation business and commercial cases in the federal courts. Surely, such tomes have limited utility for trial lawyers seasoned in courtroom practice. Even if that seems a bit too smug, and it certainly is, treatises surely are the province of less seasoned lawyers who seem to rely exclusively on electronic information anyway. So, what is the value proposition here? I have the answer for you and the support of an impressive group of Fellows of the College who agree with me.

I am referring to the *Fourth Edition of Business and Commercial Litigation in Federal Courts*, edited by Robert Haig of Kelley Drye & Warren. It is a unique and invaluable resource for any lawyer handling complex civil litigation, trials, and appeals in federal court. While styled as a treatise, it is a practical guide by practitioners for practitioners covering most aspects of the trial lawyer's craft. The latest edition includes forty chapters authored by Fellows of the College, including chapters covering case evaluation, discovery, trial presentation, litigation management, civility between opposing counsel, and many areas of substantive law. These chapters alone make this publication easily the single most comprehensive repository of the expertise and wisdom residing within the College. For that reason alone, the Fourth Edition is worth the investment.

This monumental work is a joint venture between Thomson Reuters and the ABA Section on Litigation, with all royalties going to the Section on Litigation. Since the publication of the First Edition in 1998, Haig and his authors have refined and enlarged each succeeding edition. The Fourth Edition has 153 chapters, including twenty-five new chapters, as well as significant expansions of many chapters from the last edition. In addition to Fellows of the College, he has assembled an impressive cast of leading commercial litigation lawyers as well as twenty-seven judges as authors for this edition. As Haig stated in the forward to this edition, the treatise has evolved into a "step by step practice guide that covers every aspect of a commercial case, from the investigation and assessment that takes place at the inception, through pleadings, discovery, motions, trial, appeal, and enforcement of judgment."

The scope of the treatise is apparent from a quick perusal of the comprehensive table of contents, which can be viewed [here](#), or if you wish to take a deeper dive, from the impressive index, which can be viewed [here](#). Each chapter contains a comprehensive discussion of the particular subject matter and relevant citations, as well as an outline of practice aids, checklists, and relevant forms. The depth of experience of the authors emerges from the practical treatment in each chapter of the interplay between procedure, substantive law, client objectives, and strategy. Moreover, the quality of Haig's work as editor is evidenced by the numerous cross references in each chapter to other chapters of the treatise.

Those of us involved in commercial litigation in the federal courts receive frequent reminders of the increasing complexity of the challenges faced by our clients, as well as the critical importance of quality lawyering to address those challenges. For that very reason – returning to my initial query on the value proposition – I am confident that this impressive, exquisitely practical treatise would be a valuable addition to the practice toolkit of every Fellow involved in commercial litigation and trial practice.

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