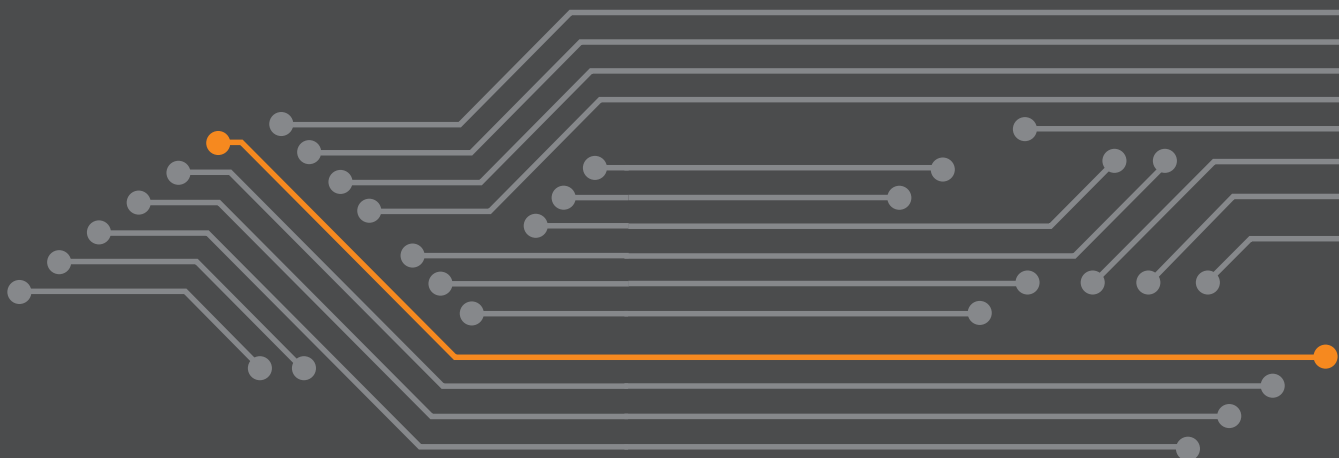


WestlawNext<sup>®</sup> CANADA

# WestlawNext<sup>®</sup> Canada Litigator

Informed litigators leave nothing to chance



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# Litigator from WestlawNext Canada is a revolutionary workflow solution containing Canada's largest collection of online Court Documents. It combines litigation-focused research with practice tools to support your strategic decisions.

## Work faster and more effectively

More than 170,000 superbly organized actual **Court Documents** save you endless hours of tedious work digging for information – letting you present a polished case with much less effort.

## Evaluate instantly what a claim is worth

**Quantums** zero in on the relevant information with results structured so you can confidently answer the critical question: How much is this claim worth?

## Get a head start on your legal research

An exclusive collection of over 6,500 **legal memos** covering 55 topical areas. Features objective, clear, and concise analysis from legal research experts. Every memo cuts straight to the heart of a specific issue, providing the perfect head start to your legal research.

## Don't miss a step

With **Civil Litigation Checklists**, every step of the litigation process is charted and annotated in functional checklists.

## Get up to speed quickly on Personal Injury matters

**Personal Injury Practical Guidance** provides practical expert "how to" guidance, enabling both plaintiff and defence practitioners to easily and efficiently complete their work at every stage of a matter.

## The world of class actions, simplified

Rely on the **Kim Spencer McPhee Class Action Monitor**, a dedicated team of class action insiders, for insightful analysis of the latest class actions, as well as case updates, news, and special-focus articles.

## Find the right witness that will help win your case

**Expert Directory** lets you search a database of Canadian and US expert witness' profiles by area of expertise. Profiles provide critical information such as the expert's credentials, fee structures, details about their experiences, as well as links to cases in which the expert has testified.

## Practice Guides and Expert Commentary

**Practice Guides and Expert Commentary** contain annotations from expert authors to help you interpret the rules of the court. And to help prepare for your trial date, key texts on Witnesses, Evidence, and Advocacy ensure that you are ready for unexpected challenges.

## Keep pace with the Latest News

Current Awareness **Practice Advisors** offer immediate access to timely legislative updates, as well as case law developments with the most current Carswell Practice Cases for Ontario, British Columbia, and Alberta, as well as the Supreme Court of Canada.

## Be prepared for every step in the litigation process.

### EVALUATION

Quantums resources help you quickly find out how much similar cases/claims have been awarded in the past.

Research the merits of the case with an on point collection of Legal Memoranda.

### INVESTIGATION

Research the people you need, including experts, lawyers, mediators, and arbitrators.

### PLEADING PREPARATION

Access a database of pleadings prepared by Canadian lawyers on topics of interest to you.

### ARGUING MOTIONS

Reduce the time you spend preparing for and arguing motions with access to thousands of materials right from your desktop.

### TRIAL PREPARATION

Find the right expert and expert commentary and resources to help you win your case.

### APPEAL PREPARATION

Get a head start with a database of appeal facta drawn from actual Canadian appeal level cases.

« FUNCTIONAL CHECKLISTS AND AUTHORITATIVE COMMENTARY PROVIDE GUIDANCE THROUGHOUT »

# Comprehensive searching, intelligent tools, and an intuitive design are the key differentiating factors that will provide legal professionals with greater efficiency, effectiveness, and confidence in their legal research.

## Tools that deliver answers and efficiency

With the flexible all-in-one search box, WestlawNext Canada lets you simultaneously search across different content types with a single query and delivers you the best results faster. Search results are ranked by relevance and sorted by content type, so you can find what you need in minutes, not hours.

- 1 Federated search box provides one place to search all or specific Litigator content.
- 2 Retrieve pleadings, motion, and facta documents as prepared and filed in court by Canadian lawyers.
- 3 Determine what your client's claim is worth by searching a quantum service.
- 4 Access thousands of professionally drafted legal memoranda covering a broad range of legal issues.
- 5 Access expert practical guidance on Personal Injury matters.
- 6 Retrieve Rule annotations and practice commentary from Thomson Reuters expert authors.
- 7 Authoritative commentary on witness, evidence, and advocacy topics.
- 8 Authoritative commentary on key litigation topics.
- 9 Never miss a step with thorough annotated litigation checklists.
- 10 Retrieve useful profiles on expert witnesses, lawyers, and mediator/arbitrators.
- 11 Easy access to Litigator's Rules Concordance.
- 12 Keep abreast of Class Action developments and trends.
- 13 Use the current awareness tools to access timely updates on case developments and legislation.



## Court Documents

### Pleadings, Motions and Facts

Includes more than 170,000 court documents extracted from the court files of significant court cases in every Canadian Common Law jurisdiction. Guided by the case selection standards of 12 of the leading litigation focused case reporters from Thomson Reuters:

- *Canadian Cases on the Law of Torts (CCLT)*, covering all cases from volume 13 CCLT (3rd) (published 2003) onward as well as certain judgments of particular significance dating back to October 19, 1989
- *Canadian Cases on the Law of Insurance (CCLI)*, covering all cases from volume 41 CCLI (3rd) (published 2003) onward as well as certain judgments of particular significance dating back to November 26, 1998
- *Canadian Cases on Employment Law (CCEL)*, covering all cases from volume 20 CCEL (3rd) (published 2003) onward as well as certain judgments of particular significance dating back to October 2, 1996
- *Carswell's Practice Cases (CPC)*, covering all cases from volume 23 CPC (5th) (published 2003) onward as well as certain judgments of particular significance dating back to December 12, 1995
- *Business Law Reports (BLR)*, covering all cases from volume 27 BLR (3rd) (published 2003) onward as well as certain judgments of particular significance dating back to September 16, 1999
- *Real Property Reports (RPR)*, covering all cases from volume 3 RPR (4th) (published 2003) onward as well as certain judgments of particular significance dating back to July 9, 2001
- *Estates & Trusts Reports (ETR)*, covering the most significant cases reported in ETR from 1995 onward (Editor: Lori M. Duffy of Weir Foulds, LLP; Sharon Yale)
- *Construction Law Reports (CLR)*, covering the most significant cases reported in CLR from 1995 onward (Editor-in-Chief: Harvey J. Kirsh of Osler, Hoskin and Harcourt, LLP)
- *Canadian Environmental Law Reports (CELR)*, covering the most significant cases reported in CELR from 1995 onward (Editor-in-Chief: Rick Lindgren of the Canadian Environmental Law Association)
- *Municipal & Planning Law Reports (MPLR)*, covering the most significant cases reported in MPLR from 1995 onward (Editor: John Mascarin of Aird & Berlis, LLP)
- *Canadian Patent Reporter* covering the most significant cases from 2017 onward (Editor Marcus Gaille, Ridout & Maybee LLP) and *Dimock Stratton Intellectual Property Law Newsletter (IPN)*, covering the most significant cases reported in IPN from 2000-2016 (Editor: Dimock Stratton, LLP)
- *Canadian Cases on Pensions and Benefits (CCPB)*, covering the most significant cases reported in the CCPB from 1995 onward (Editor-in-Chief: Andrea Boctor of Stikeman Elliott)



## Quantums

8 topical Quantums services allow you to determine what similar cases have awarded and determine what a claim is worth.

### Breach of Contract

Features quantum digests for cases in which a breach of contract judgment resulted in a damage award beyond straight restitution. The collection covers Canadian trial and appeal decisions classified under all relevant headings of *The Canadian Abridgment* from 1997 to the present.

### Child Support

Features quantum digests for cases in which child support awards are based on one of the following:

- Exceptions to the guideline table amounts
- Extraordinary expenses
- Income levels surpassing \$150,000

The collection covers all Canadian trial and appellate court decisions from 1997 to the present.

### Defamation

Features quantum digests for cases in which damages were awarded for defamation. The collection covers all Canadian trial and appeal decisions classified under *The Canadian Abridgment* subject title "Defamation" from the 1800s to the present.

### Dependants' Relief

Features quantum digests for cases where dependants' relief has been awarded. Cases involving awards of particular estate assets have also been included. The collection covers all Canadian trial and appellate court decisions from 1976 to the present.

### Environmental Offences Sentencing Digests

Features a collection of searchable sentencing digests authored by Stanley D. Berger (*Prosecution and Defence of Environmental Offences*) and Jonathan Myers, summarizing decisions found in case law and Prosecution Disposition Reports from 1989 onward, and highlighting the various factors underlying the precise sentence in every instance.

## Quantums (continued)

### Personal Injury

Features quantum digests for cases selected for Goldsmith's *Damages for Personal Injury and Death* and Carswell's *Personal Injury Damages Partner*. The collection covers all Canadian trial and appeal decisions from 1991 to the present in which damages were awarded for personal injury or death.

### Spousal Support

Features quantum digests for cases classified under the following headings of *The Canadian Abridgment's* subject title "Family Law – Support – Spousal Support" under federal and provincial statutes:

Entitlement; Lump Sum Awards; Nominal Awards; Time-Limited Awards; Interim Awards; Variation or Termination; and Miscellaneous Issues. The collection covers all Canadian trial and appeal decisions from 1997 to the present.

### Wrongful Dismissal

Features quantum digests for cases selected for *Wrongful Dismissal Database*, by Barry B. Fisher, LL.B., and Patrick L. Benaroché, B.A., B.C.L., LL.B. The collection covers all Canadian trial and appeal decisions from 1954 to the present in which damages (notice period) were awarded for wrongful dismissal.



## Legal Memoranda

Legal Memoranda is an exclusive collection of over 6500 legal memos you'll find only on WestlawNext Canada. It features objective, clear, and concise analysis from legal research experts, covering 55 topical areas. The collection is updated regularly to ensure content is always current and relevant; no memo is ever older than 3 years – so you always have current, relevant research you can rely on. Includes a summary page highlighting all of the important details about the memo including the facts, legal

issues, relevant cases, statutes, rules, and commentary. It's the critical information that will give you confidence that the memo you choose will offer the perfect head start to your legal research.

The new MacDonald & Partners LLP, Wilton and Joseph Collection of Family Law Memos contains over 200 high-value memos on niche issues including: property, custody and access, spousal support, child support, separation and divorce, domestic agreements, arbitration procedural matters and costs.



## Expert Commentary

Every Litigator subscription includes access to the following practice guides.

### Archibald, *Annual Review of Civil Litigation*

Contains a collection of cutting-edge articles by experienced counsel from across Canada, written to provide today's litigators with a state-of-the-art overview of the most intriguing and relevant developments in Canadian civil law. Provides full historical coverage, including Edition 2001 to date.

### Busby, *Manitoba Queen's Bench Rules Annotated*

Includes the Queen's Bench and Court of Appeal Rules of Practice and Procedure for both civil and criminal matters. In addition, the database provides commentary explaining the rules and annotations of all the decisions that interpret the civil rules.

### Beedall, Régimbald, Rogan & Estabrooks, *Supreme Court of Canada Practice*

Features up-to-date information on the rules and practice before the court, describes developments in depth, and provides comprehensive background and context surrounding them.

### Ehrlich, *Nova Scotia Annotated Rules of Practice*

Features several sections consisting of Table of Contents, Table of Cases, Judicature Act, Rules of Practice, Practice Memoranda, Forms, Tariffs, Related Legislation, Rule Cross-References, Limitation Table, Index to Rules, and Index to Forms.

### Fradsham, *Alberta Rules of Court Annotated*

Features the full text of *Alberta's Rules of Court*, as amended; quotations and highlights from every significant decision that has interpreted and applied the Rules; Practice Directions issued by the Court; and cross-references to related Rules.

### Holmsted & Watson: *Ontario Civil Procedure*

An encyclopedia of civil litigation in Ontario. Designed as a general treatise on civil procedure through section-by-section and rule-by-rule analytical commentary to the *Courts of Justice Act* and the Rules of Civil Procedure.

### Saskatchewan Rules of Court Annotated

Provides easy access to the Rules and case annotations in one source. It includes the Queen's Bench and Court of Appeal Rules of Practice and Procedure for civil matters, as well as annotations of decisions that interpret these civil rules.

## Expert Commentary (continued)

### **Saunders, Rennie & Garton *Federal Courts Practice***

Addresses a complete range of judicial review, trial, and appellate proceedings, and incorporates recent developments; class action rules that establish the code for class proceedings; annotated and cross-referenced rules; plus substantial new case law and expanded commentary explaining the rules and case law.

### **Seckel & MacInnis, *British Columbia Supreme Court Rules Annotated***

Includes commentary discussing recent amendments to the Rules, the *Court of Appeal Act*, and Court of Appeal Rules.

### **Watson & McGowan's, *Ontario Civil Practice***

An all-inclusive courtroom reference. Contains the essentials for practising in Ontario Civil Court including the *Courts of Justice Act*, the Rules of Civil Procedure, and the *Evidence Act*. In addition, includes all relevant civil court forms and specialized materials that relate to specific geographic area or to specialized practice area.

### **Zuker & Winny, *Ontario Small Claims Court Practice***

Features comprehensive commentary pertaining to the Rules and Forms of Small Claims Court in Ontario as well as *Annual Review of Small Claims Court Developments*.

Subscriptions may also be tailored to add the following leading texts and tools in the Civil Litigation Commentary & Annotated Checklist module.

#### **Doherty, *The Portable Guide to Evidence 3rd Edition***

Features a comprehensive review of the law of evidence, while offering convenient reference when evidentiary issues suddenly arise.

#### **Sankoff, *The Portable Guide to Witnesses 2nd Edition***

Features authoritative commentary on all the legal issues involving the treatment of witnesses.

#### **Finlay, Cromwell & Iatrou, *Witness Preparation, a Practical Guide***

Features everything a litigator needs to know about choosing, preparing, and examining a witness, plus “tried and true” tips, and special focus on electronic discovery, child witnesses, and conflicts of interest and privilege.

#### **Olah, *The Art and Science of Advocacy***

Chapter 4: “The Expert Enters the Case”

Chapter 16: “Cross-Examining the Expert Witness”

#### **Finlay, Vermette & Statham *Electronic Documents: Records Management, E-Discovery and Trial***

Chapter 4: “The Legal Framework Governing the Discovery of Electronic Documents in Canada”

Chapter 7: “Production of Electronic Documents and Use of Electronic Evidence at Trial”

#### **Penner & Underwood, *Electronic Evidence in Canada***

Chapter 4: “Obligation to Preserve Electronically-Stored Information (“ESI”) in Contemplation of Litigation”

Chapter 9: “Ensuring Preservation of ESI Held by Others”

#### **Mewett & Sankoff, *Witnesses***

Chapter 10: “Opinion Evidence and The Expert Witness”

### **Annotated Checklists**

Expertly crafted and comprehensively annotated with cases, legislation, and practice tips, these checklists cover every step of the civil litigation process, from initial client-meetings to post-trial procedures and settlement matters – the ideal project-management tools.



## Personal Injury Practical Guidance

The Personal Injury Practical Guidance module on Litigator provides expert guidance on personal injury matters for both plaintiff and defence. Topics covered include: Commencement and Pleadings, Discovery, Mediation and Settlement, Motions, Evidence and Trial, Motor Vehicle Accidents (Tort and Accident Benefits), Occupiers' Liability, and more. Access an online, easily searchable collection of practical “how to” memos and precedents annotated with expert advice. They deliver the right amount of information for the task, in

plain language, with tips from seasoned experts enabling you to find the answers you need to complete your work easily and efficiently. A collection of checklists ensure no step or relevant consideration is missed, and **Merkur's Personal Injury Damages Calculator** provides the ability to quickly assess the value of a personal injury claim using different assumptions – an invaluable tool.



## Directories

Every Litigator subscription includes online access to the following Directories:

### Expert Witness Directory

Contains profiles of expert witnesses and consultants from across Canada, collected from Canadian case law, quantum digests, and other sources. Profiles provide critical information such as the expert's credentials, fee structures, details about their experiences, as well as links to cases in which the expert has testified. Also includes a comprehensive database containing profiles on US expert witnesses.

### Mediator and Arbitrators Directory

Contains profiles of individuals and organizations from across Canada that engage in alternative dispute resolution. Each profile contains the individual's or organization's name, address, phone number, and the province in which services are provided. Additional information, such as area(s) of expertise, e-mail address, and website, may be included.

### Canadian Lawyer Directory

Contains more than 30,000 profiles of lawyers, law firms, and government ministries and departments from all Canadian jurisdictions, including contact information. Profiles may include area(s) of practice, year, and jurisdiction of call.



## Current Awareness

Keep abreast of developments in the law with the following:

### Kim Spencer McPhee Class Action Monitor

Features bi-weekly issues with information and commentary on the latest class actions filed, case updates, news, special focus articles on important topics in class action law, and links to information on class action experts listed in Lexpert, complete with links to class action legislation, cases, archived issues, and other related materials.

### Practice Advisors

Every Litigator subscription includes immediate access to timely legislative updates and case law developments from the courts of Ontario, B.C. and Alberta, as well as the Supreme Court of Canada and the Federal Courts.



## Rules Concordance

Every Litigator subscription includes a topical concordance of the rules of practice.



## Superior Support

### Training options

To ensure our customers are fully trained on how to use and maximize the content and functionality on WestlawNext Canada we offer a variety of complimentary training options that can be customized to meet customer needs, including training sessions for groups or individuals; in hands-on computer labs, board room settings, or Webinars. Pre-recorded tutorials and downloadable user guides are also available on our website.

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