



# Productivity Solutions for Your Law School

AALL  
July 2011

# Westlaw Transcripts with Audio/Video

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## Overview:

- In addition to reading and researching trial transcripts, you can watch video and listen to audio directly on Westlaw

# Westlaw Audio Transcripts

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- Synched with text of accompanying transcript
- Trial segments fully identified
  - Opening and closing arguments
  - Jury instructions
  - Expert witness testimony
  - Lay witness testimony
- Variety of case types
- Growing collection as we continually capture transcripts and audio/video



# How to Access and Search Court Transcripts

Westlaw

FIND & PRINT KEYCITE DIRECTORY KEY NUMBERS SITE MAP HELP SIGN OFF

COURT DOCS FORMFINDER PEOPLE MAP EXPERT CENTER Preferences Alert Center Research Trail

Westlaw Litigation California State Litigation Add a Tab

Result List 66 Docs Links for 2008 WL 2324148

Full Screen List Edit Search | Locate in Result

2008 WL 2324148 (N.Y.) (Oral Argument)  
For opinion see [2008 WL 762279](#)

This is an unofficial transcript derived from video/audio recordings.  
Court of Appeals of New York.  
In the Matter of **Disney** Enterprises, Inc., et al., Appellants,  
v.  
Tax Appeals Tribunal of the State of New York et al., Respondents.  
No. 2008-0037.  
March 25, 2008.  
Oral Argument

Appearances:  
[Paul H. Frankel](#), Morrison & Foerster LLP, New York, New York for appellants.  
[Robert M. Goldfarb](#), State of New York Law Dept Appeals & Opinions Bur., Albany, New York for respondents.  
[James Beauchamp Ciparick](#), [Victoria A. Graffeo](#), [Robert S. Smith](#), [L. ...](#), and [Eugene F. Pigott, Jr.](#)

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[ORAL ARGUMENT OF PAUL H. FRANKEL ON BEHALF OF THE PETITIONER](#)

History KeyCite

Full-Text Document

Table of Authorities

KeyRules

- KEYRULES-ALL

Click Sync Text to display the text of the transcript next to the video.

00:00:04 00:43:00 Sync Text

Term Doc 6 of 66 Tools Go

Paused 00:01 / 00:15

PREV 9 of 19 NEXT

# Easy Navigation

The screenshot displays the Westlaw interface for a legal case. The top navigation bar includes links for FIND & PRINT, KEYCITE, DIRECTORY, KEY NUMBERS, SITE MAP, COURT DOCS, FORMFINDER, PEOPLE MAP, EXPERT CENTER, HELP, and SIGN OFF. The main content area shows the case title "In the Matter of Disney Enterprises, Inc., et al., Appellants, v. ..." and a video player. The video player has a play button, a progress bar, and a video camera icon. A callout box with an orange border points to this icon, containing the text: "Click this icon to display the video in the full screen." Below the video player is a transcript of the oral argument. A second callout box with an orange border points to a video camera icon in the transcript text, containing the text: "Click a video camera icon to advance the video to sync with that point of the discussion." The transcript includes the following text: "MR. FRANKEL: Thank you. A narrow issue, your Honor, before us today, is whether the tax collectors inclusion in the numerator of Disney's combined franchise tax report calculation, the inclusion of the sales of Buena Vista's video-cassettes sales to the New York costumers is improper. Those sales cannot be taxed directly. Buena Vista is protected by the Federal Law 86-272. That law was enacted in 1959. It provides that if anybody solicits sales but the sales are accepted outside the state, and then the product shipped into the state, we can't tax it. And, and the tribunal has held that Buena Vista is a protected entity and cannot be taxed. It is our position..." "JUDGE: The member of..." "MR. FRANKEL..." "JUDGE: It has been included in the numerator by the lower courts and ..." "MR. FRANKEL: It has by the lower court, and we disagree with that." "JUDGE: Before you-- before Disney took this unitary position, Buena Vista wasn't taxed in New York, was it?" "MR. FRANKEL: I believe they we're not, your Honor. Because if, if they're not-- there's no more tax that is suppose to be taxed in New York. The, the purpose of a combined report is to calculate the taxpayers liability who are in New York, so when you have like Disney does, Disney might have a hundred members that we've listed in that beginning of the brief. Now, only ten of them are New York taxpayers. The combined report which about half the country has, you take the income of the group and the base, and then you take a formula with all the factors and denominator; and then the New York factors in the numerator. And what the tax collector wants to do, is take the factors of the protected company and put them in the numerator, and this is the so called "Joyce" issue." "JUDGE: Is plan of this study-- I'm sorry, and that has issue has divided courts around the nation, has it not?" "MR. FRANKEL: Seventy percent or more, your Honor, support our position because if you don't have Joyce, you have double taxation. And what, what this 70 percent of the States want..."

# Westlaw Audio Transcripts

## Use Cases

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- Real World Classroom Tool:
  - Your students can now experience the inner workings of a real case without leaving the classroom.
  - Use A/V Transcripts to understand how other attorneys present arguments and evidence to persuade a judge or jury
- Study a judge's demeanor, tendencies and subject-matter expertise and formulate litigation strategy



# West CiteAdvisor

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## West CiteAdvisor

### 1 Set Options:

Current Option Set: Default

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### 2 Select Services:

- Citation Format Advisor
- Table of Authorities Builder

### 3 Select the document to be processed:

**Note:** For assistance call 1-800-REF-ATTY (1-800-733-2889).

[West CiteAdvisor Help](#)  
[West CiteAdvisor Demo](#)

# West CiteAdvisor

## West CiteAdvisor Option Details

Name for these option settings:

Default Jurisdiction (to help identify citations):

### Scope of Coverage:

- Caselaw
- Regulations
- Statutes
- Court Rules
- Administrative Decisions
- Law Reviews and Bar Journals

### Citation Format Advisor

Rules for citations:

Citation Style:

#### Formatting Preferences:

- Underline Title
- Italicize Title
- Include Subsequent History

#### Parallel Citations

- Allow West CiteAdvisor to suggest which citations to include
- Include only one citation per authority cited
  - Cite to the official reporter if possible
  - Cite to West's National Reporter system if possible
- Include citations to all available reporters

#### Statutes

- Use the official statute publication (e.g., U.S.C.)
- Use the publication validated by WestCiteAdvisor

Note that for some cites, the statute may not yet be published in the official source.

### Table of Authorities Builder

#### Formatting Preferences:

- Underline Title
- Italicize Title
- Case Name on Separate Line
- Include Subsequent History from Text
- Use Passim for Frequently Cited Sources
- Combine Federal and State Categories
- Underline TOA Headings

Tab Leader

Heading Font Style

# West CiteAdvisor

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- West CiteAdvisor options for rules for citations include:
  - The Bluebook
  - ALWD Citation Manual
  - State-specific rules for
    - NY rules
    - CA rules
    - FL rules
    - TX rules
    - IL rules
    - KY rules
    - MI rules

# West CiteAdvisor: Select Document

## West CiteAdvisor

### 1 Set Options:

Current Option Set: Federal

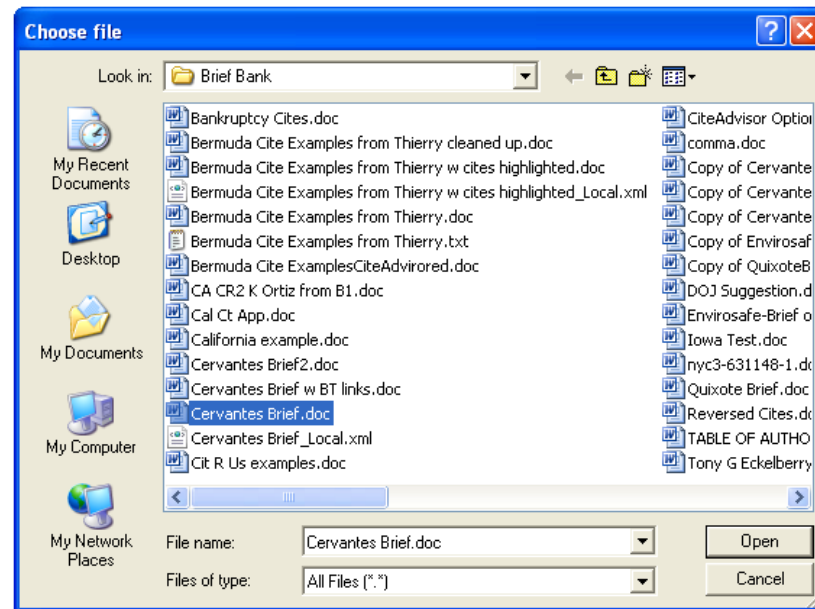
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- Citation Format Advisor
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# West CiteAdvisor: Cite Suggestion

## West CiteAdvisor

from being slammed in their faces. The extent of the damage was a broken door-chain.

### ARGUMENT

The officer-affiant had a sufficient basis to believe that the informant was 'credible' or his information 'reliable.' **China v. Chang , 134 Cal.App.2d 124, 127 (1954)**. These Petitions are not, and could not reasonably be considered. They are not artfully drafted petitions for writs of mandamus that would order the district court to grant intervention for purposes of appeal. Mandamus is an "extraordinary remedy, to be reserved for extraordinary situations," and this Court is "particularly disinclined to issue the writ before the district court has acted." There is even less justification to require a more formal announcement of purpose to one who, by his actions, shows he knows the reason for the visit and intends forcibly to prevent entry. Where split-second action is necessary, the law does not require an extended exposition of the obvious. Here the officers used only such force as needed to prevent petitioner's door from being slammed in their faces. The extent of the damage was a broken door-

Confirming Citation 1 of 2 citations identified so far in your document

Accept

Edit Citation Range

Ignore Suggestion

Not a Citation

Cancel Process

Citation:

China v. Chang , 134 Cal.App.2d 124, 127 (1954)

If your citation is not identified correctly, click "Edit Citation Range" to correct boundaries

Suggestion:

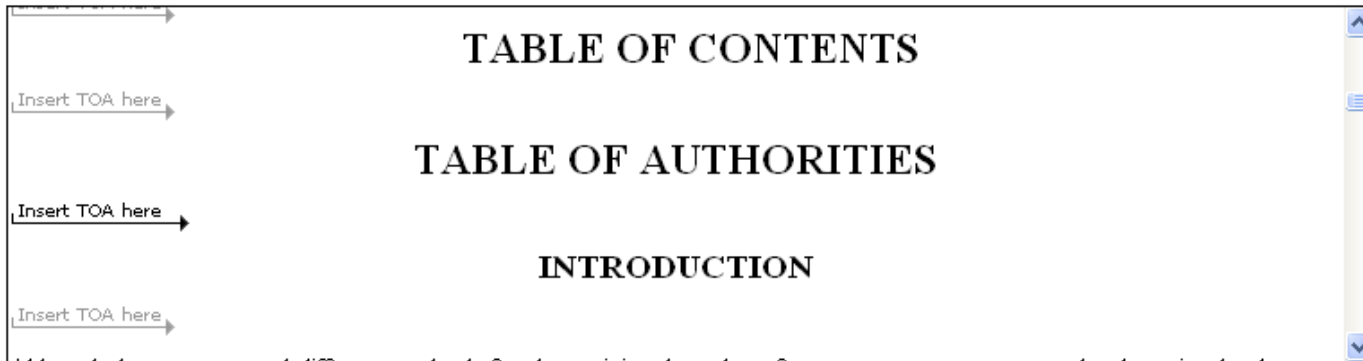
- Republic of China v. Chang, 134 Cal. App. 2d 124, 127, 285 P.2d 351 (Cal. Ct. App. 1955)

[West CiteAdvisor Tips](#)

# West CiteAdvisor: Insert TOA

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## West CiteAdvisor



### TOA Insertion Point

Select your desired TOA insertion point by clicking on one of the TOA images in the document above. If you do not select an insertion point, the TOA will not be inserted.

Build TOA

Cancel

# West CiteAdvisor: Result Document

Copy of CervantesBrief[1].doc - Microsoft Word

Screen 1 of 5

Screen 2 of 5

CASE NO. A1117777

**IN THE COURT OF APPEAL FOR THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT  
DIVISION ONE**

**WINDMILLS ARE US**  
Plaintiff and Respondent,

v.

**DON QUIXOTE**  
Defendant and Appellant.

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Appeal from the Superior Court for  
San Francisco, Case No. 01-2345678  
Hon. M. Cervantes

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**APPELLANT'S OPENING BRIEF**

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