

# Getting Started Guide

Always connected, on-demand access to your library eBook collection.

The LexisNexis® Digital Library features a personalized home page, a user-friendly reading experience and an app for easy offline reading. Get your customized experience started with a few simple steps.

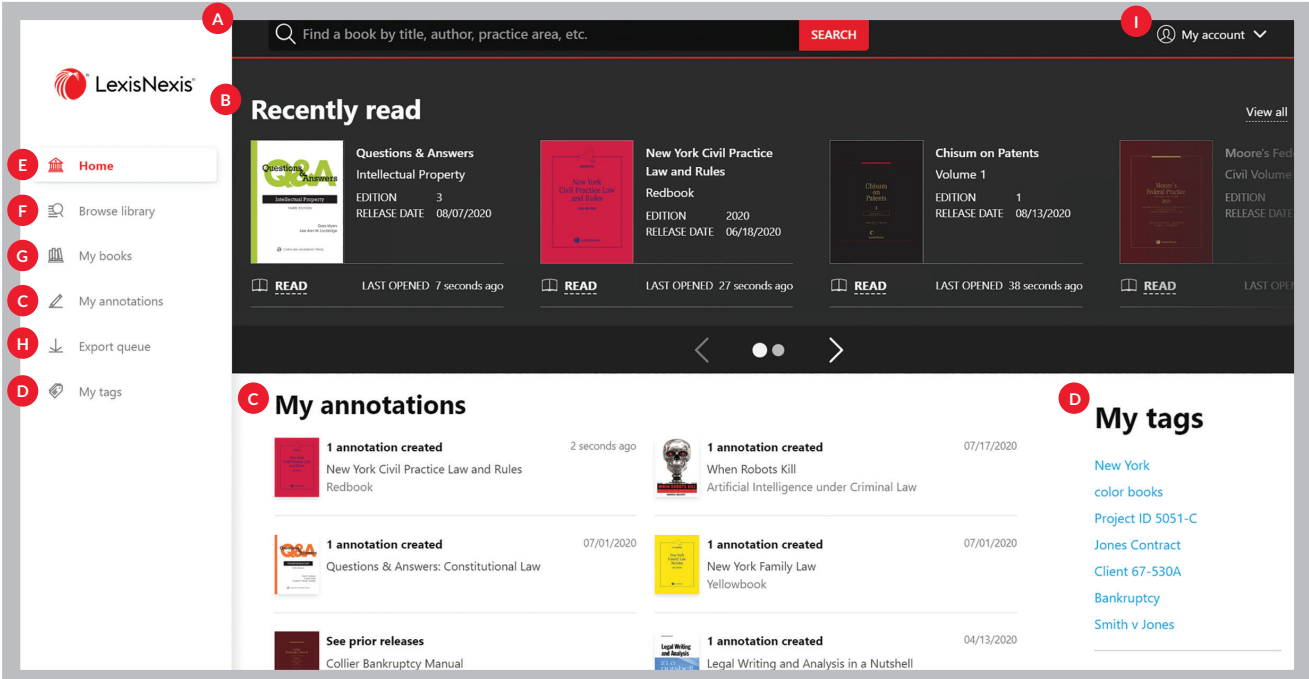
Go to your digital library site and sign in:

## Account URL

## YOUR PERSONAL HOME PAGE

Start your research or resume your work from your customized workspace. As you read eBooks, take notes and add personal tags, your home page populates.

- A. **Search bar** enables you to find eBooks by title, author or practice area within your collection.
- B. **Recently read eBook titles** appear front and center for quick access.
- C. **My annotations** shows you the most recent eBooks in which you have added notes and highlights. To view all annotations, click the **Go to my annotations** link or **My Annotations** in the left navigation bar.
- D. **My tags** displays all titles you have tagged for easy access.
- E. **Home** brings you back to the main page.
- F. **Browse library** allows you to view curated collections, sort by relevance or browse by filter.
- G. **My books** shows your history as well as shared, expiring and downloaded titles, plus those on hold, when applicable.
- H. **Export queue** makes it easy to view all selected annotations and select and export passages.
- I. **My account** includes features like download settings, help and sign out.



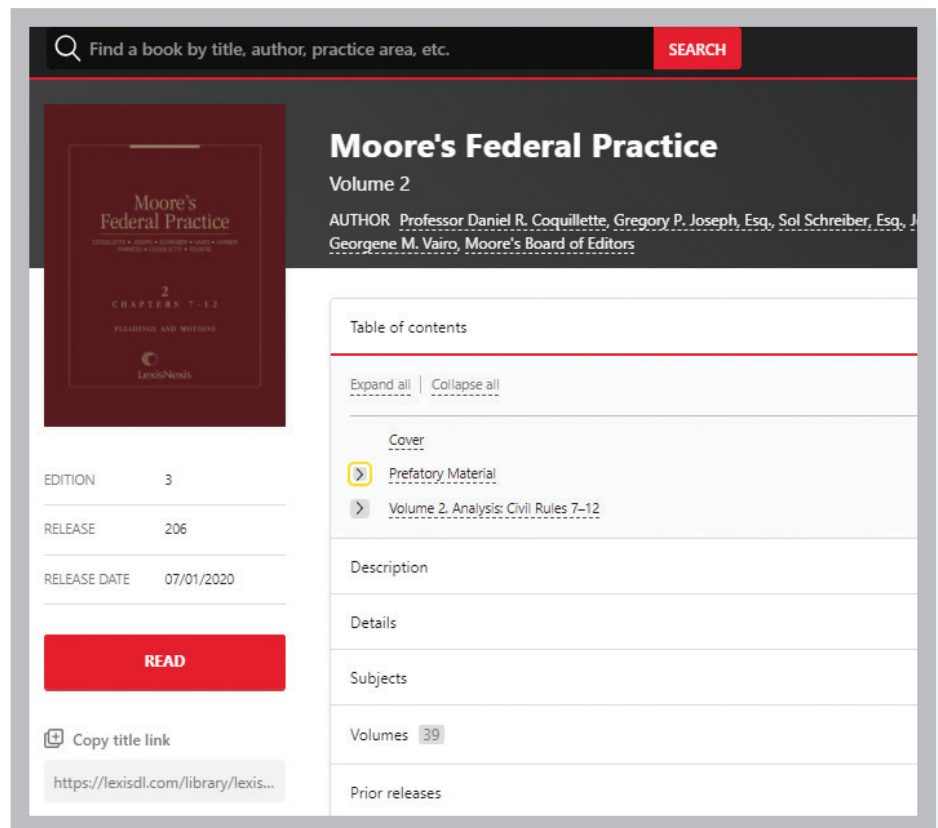
The screenshot shows the LexisNexis Digital Library home page. The interface is dark-themed with a white sidebar on the left. The main content area is divided into several sections:

- Search bar (A):** Located at the top, with the text "Find a book by title, author, practice area, etc." and a "SEARCH" button.
- My account (I):** Located in the top right corner, with a dropdown arrow.
- Recently read (B):** A section displaying four eBook covers with their titles, editions, release dates, and "READ" buttons. The books are:
  - Questions & Answers Intellectual Property (Edition 3, Release Date 08/07/2020)
  - New York Civil Practice Law and Rules Redbook (Edition 2020, Release Date 06/18/2020)
  - Chisum on Patents Volume 1 (Edition 1, Release Date 08/13/2020)
  - Moore's Federal Civil Volume (Edition, Release Date)
- Navigation (E, F, G, C, H, D):** A vertical sidebar on the left with icons and labels: Home (E), Browse library (F), My books (G), My annotations (C), Export queue (H), and My tags (D).
- My annotations (C):** A section showing a list of annotations with book covers, titles, and dates.
  - 1 annotation created 2 seconds ago: New York Civil Practice Law and Rules Redbook
  - 1 annotation created 07/17/2020: When Robots Kill Artificial Intelligence under Criminal Law
  - 1 annotation created 07/01/2020: Questions & Answers: Constitutional Law
  - 1 annotation created 07/01/2020: New York Family Law Yellowbook
  - See prior releases: Collier Bankruptcy Manual
  - 1 annotation created 04/13/2020: Legal Writing and Analysis in a Nutshell
- My tags (D):** A section on the right displaying a list of tags: New York color books, Project ID 5051-C, Jones Contract Client 67-530A, Bankruptcy, and Smith v Jones.

## LEARN ABOUT YOUR TITLES

Select an eBook to learn more about its author, edition and release date. Use the table of contents view to open the title to a specific section... making your research more efficient.

From this page you can also copy a title link to share with another researcher in your organization, add a personal tag to organize eBooks of interest by project ID or topic, or search a single eBook or its entire set before opening it.



Find a book by title, author, practice area, etc. **SEARCH**

# Moore's Federal Practice

Volume 2

AUTHOR Professor Daniel R. Coquillette, Gregory P. Joseph, Esq., Sol Schreiber, Esq., Georgene M. Vairo, Moore's Board of Editors

Table of contents

Expand all | Collapse all

- Cover
- Prefatory Material
- Volume 2. Analysis: Civil Rules 7-12

Description

Details

Subjects

Volumes 39

Prior releases

EDITION 3

RELEASE 206

RELEASE DATE 07/01/2020

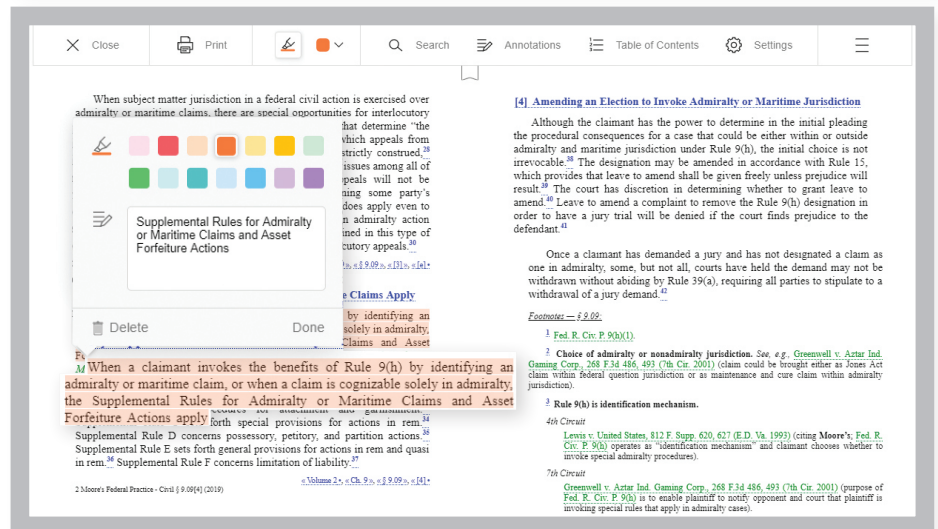
**READ**

Copy title link

<https://lexisdl.com/library/lexis...>

## READING THE eBook

Click **Read** to begin reading the title. Add annotations, navigate via the table of contents, and much more. Blue links take you to locations inside the book, and green links connect you to cases and statutes on the Lexis+™ or Lexis® service.\* Use **My annotations** page while on the digital library home screen to access and sort your notes quickly- without opening the eBook.



Close Print Search Annotations Table of Contents Settings

When subject matter jurisdiction in a federal civil action is exercised over admiralty or maritime claims, there are special opportunities for interlocutory appeals that determine "the strictly construed" issues among all of peals will not be some party's does apply even to a admiralty action used in this type of cutury appeals.

**[4] Amending an Election to Invoke Admiralty or Maritime Jurisdiction**

Although the claimant has the power to determine in the initial pleading the procedural consequences for a case that could be either within or outside admiralty and maritime jurisdiction under Rule 9(h), the initial choice is not irrevocable.<sup>38</sup> The designation may be amended in accordance with Rule 15, which provides that leave to amend shall be given freely unless prejudice will result.<sup>39</sup> The court has discretion in determining whether to grant leave to amend.<sup>40</sup> Leave to amend a complaint to remove the Rule 9(h) designation in order to have a jury trial will be denied if the court finds prejudice to the defendant.<sup>41</sup>

Once a claimant has demanded a jury and has not designated a claim as one in admiralty, some, but not all, courts have held the demand may not be withdrawn without abiding by Rule 39(a), requiring all parties to stipulate to a withdrawal of a jury demand.<sup>42</sup>

*Footnote — § 9.02.*

<sup>38</sup> Fed. R. Civ. P. 9(b)(1).

<sup>39</sup> Choice of admiralty or nonadmiralty jurisdiction. See, e.g., *Greenwell v. Astar Ind. Gaming Corp.*, 268 F.3d 486, 493 (7th Cir. 2003) (claim could be brought either in Jones Act claim within federal question jurisdiction or as maintenance and cure claim within admiralty jurisdiction).

<sup>40</sup> Rule 9(h) is identification mechanism.

*4th Circuit*

*Lewis v. United States*, 812 F. Supp. 620, 627 (E.D. Va. 1993) (citing Moore's, Fed. R. Civ. P. 9(b) operates as "identification mechanism" and claimant chooses whether to invoke special admiralty procedures).

*7th Circuit*

*Greenwell v. Astar Ind. Gaming Corp.*, 268 F.3d 486, 493 (7th Cir. 2001) (purpose of Fed. R. Civ. P. 9(b) is to enable plaintiff to notify opponent and court that plaintiff is invoking special rules that apply in admiralty cases).



**DOWNLOAD THE DIGITAL LIBRARY APP FOR EASY READING, ONLINE OR OFFLINE**  
Now available for both Android™ and iOS®. No Adobe® ID registration needed.

Learn more about the LexisNexis Digital Library by visiting [lexisnexis.com/GoDL](https://lexisnexis.com/GoDL). Or contact your library administrator or digital media consultant for additional assistance.

## CONNECT WITH US!

[lexisnexis.com/LexisSource](https://lexisnexis.com/LexisSource)

**Twitter:** @LexisSource

**LinkedIn:** LexisNexis Print and Digital Publishing Solutions

**Facebook:** LexisSource

\*Linking to the Lexis+ or the Lexis service may not be available in all titles. Access to the Lexis+ or Lexis service requires an active subscription. Images for representation only. Actual screens may vary.