

From: Pam Samuelson psamuelson@berkeley.edu
Subject: Re: Pre-Release Review (Confidential)
Date: January 13, 2016 at 2:32 PM
To: Carl Malamud carl@media.org
Cc: Sprigman, Christopher SprigmanC@exchange.law.nyu.edu



I spent several hours today reading through the mss. It's really excellent. The opening explanation of the project was very effective and should be helpful in the optics about babyblue in the event that the private controversy that now exists about the project gets blown up into a public one (including by initiating a lawsuit). Public access to the rules that must be complied with is a powerful story to tell (e.g., prisoners who are filing pro se petitions should be able to use the system). I like the distinction between the uniform system of citation and the bluebook's implementation of that system, which can be implemented differently. I like that the intro mentions what's new as compared with the bluebook and why there are differences in the scope of coverage of the two works) and that it encourages people to improve on it, e.g., by adding citation data re foreign sources. Also it carries out well the fundamental directive to make citation about facilitating finding things, not getting into minutiae for minutiae's sake.

Some small points:

There is a place where babyblue cites to a Posner article as published in Ct. Rev.; I wondered if this should have been S. Ct. Rev.

I found R11.2.10 to be unclear, so please reconsider it

You didn't say anything about whether it's fair game to cite an opinion that has not been approved for publication (ie, stamped as not approved), which I was sort of hoping would be mentioned.

In R21.1 I got confused about why some parts were highlighted in blue and some weren't.

I had always thought it was proper in citing to Cong'l legislation to cite to whether it was first or second session of that Congress.

In the part that mentions Woodmansee, Colting is misspelled.

when citing to a chapter in a book, isn't the "in" between the chapter name and the book supposed to NOT be italicized?

On 1/10/16 9:50 AM, Carl Malamud wrote:

Dear Professor Samuelson:

Thank you for agreeing to provide a Pre-Release Review of a manuscript I am preparing for possible publication. After the Pre-Release Review concludes, I will examine the comments received, make any changes that are appropriate, then consider whether the document is ready for a public beta period.

As a participant in the Pre-Release Review, I have two requests of you:

1. During the Pre-Release Review process and prior to any participation, I would appreciate it if not talk about this process to others. After publication, you are of course free to say anything you want.
2. I am asking you to agree not to distribute the current document to others, either now or in the future, as it will be revised and is not ready for public distribution.

If you would like to work with a student during the review, that is fine as long as the student also agrees to these terms.

You will find attached 3 versions of the manuscript:

1. The HTML source document. If you would like to make edits directly to the source, I will do a "diff" on your changes to see what you've done.
2. A PDF transformation of the HTML source. If you would like to make comments on this draft, you may do so with PDF comments.
3. A Microsoft Word document. If you work with this version of the document, please make sure "track changes" is enabled.

If your comments are of a general nature, feel free to send them by email, word doc, or any other fashion that is convenient for you.

You may make any comments you feel are appropriate, but I am particularly interested in errors and omissions in the current draft or material that you feel is inappropriate for the manuscript. You will find more information about the Pre-Release Review on the last page of the manuscript, and I am more than happy to answer any questions you may have by email or phone.

I am asking for comments to be received by January 20, however I am happy to receive comments earlier and if you feel you need more time, please don't hesitate to let me know.

Thanks very much for taking the time to look at this document.

Best regards,

Carl

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