To: Antitrust Source Authors and Editors
From: Tina Miller, Katie Ambrogi, and John Bodrug (with thanks to Tammy Feldman)
Date: August 9, 2019
Re: Antitrust Source “Top Ten” Formatting and Style Checklist

1. Antitrust Source Style: General Guidelines

Articles in the Source should aim to be under 5000 words (about 16 pages double-spaced) with 50 or fewer footnotes, or only as needed.

a. Prose “Table of Contents”: The Antitrust Source style discourages use of the typical prose “table of contents” or roadmap (e.g., in Part I we explain the basic economic theory; in Part II we discuss the relevant cases, etc.). Use section headings instead.

b. Footnotes: While our cite checking process is held to the highest standards (see the accompanying Cite Checking Guide memo for Antitrust Source editors), we encourage authors to avoid the overly detailed citations and explanatory notes more typical of law review articles. We prefer that Antitrust Source articles have a maximum of 50 footnotes.

c. Avoid unnecessary capitalization, quotation marks, and italics to highlight terms or phrases. Do not underline.
   i. For a term of art, the phrase can be presented in quotes the first time to indicate it will have specific meaning in the article but quotes can be dropped after the first mention. We do not use both the adjective “so-called” and quotation marks for a term or phrase: choose one or the other.
   ii. Capitalization should be used for the actual titles of entities or items (or, in the case of the Court, to refer to the U.S. Supreme Court); general referrals to the constitution, the courts, the states, etc. do not require capitalization.

d. Authors should avoid overusing adjectives, particularly adjectives that characterize another’s research or opinions, e.g., brilliant article.

e. Style Authorities: The authorities relied upon by Antitrust Source editors are:
   i. The Bluebook: A Uniform System of Citation, 20th Edition. [LATEST EDITION]

iii. Strunk & White, *The Elements of Style.*

iv. Common sense.

2. **Title, Author, Acknowledgments**
   a. Author name: author’s full name (as she or he would like it to appear on the article) should be included on the line after the title. The bio/acknowledgments footnote (indicated with an asterisk) comes after the name. (Note: in print, there will not be an asterisk – the bio note will appear in the left margin on the first page.)

   b. Bio/acknowledgments footnote:
      i. The first sentence/phrase in the acknowledgments footnote should be author’s title and organizational affiliation: For example, Anne Rodgers is a partner in Norton Rose Fulbright in Houston and an editor of the *Antitrust Source.* (Note: this is different from Law Journal style.)

      ii. Relevant representation history or occupation history is included, especially disclosure information if material discussed in the article is derived or related to author’s (or author’s firm’s) representation of a client or expert testimony in a case or matter. Disclosure of funding or underwriting for the article or research is also relevant and should be disclosed. (See separate memo to authors on the *Antitrust Source* disclosure policy.) Thanks to helpers and commentators are also appropriate, but should be limited.

   c. IMPORTANT: the acknowledgments footnote should not have a number; footnote numbering should start with the first footnote after the acknowledgments.

3. **Sections & Section Headings**
   a. Part and Section:
      i. In the article’s text, spell out and capitalize “Section,” as in Section 2 of the Sherman Act; in footnotes, use the § sign, as in § 2.1 of the Merger Guidelines. An exception is for quotes (in either text or footnote): when the section sign is used in the original source, it should be used in the quoted material.

      ii. Refer to the piece itself as this “article” (as opposed to “paper.”)

   b. *Antitrust Source* section headings are numberless (i.e., no Roman numerals), left justified, and in bold font.

4. **Quotes and Quotation Marks**
   a. Quotes of more than 50 words are indented, not enclosed in quotation marks. Quotes of fewer than 50 words are enclosed in quotation marks
b. Periods and commas are *inside* quotation marks. Colons, semicolons, question marks and exclamation points are *outside* quotation marks (unless part of the quoted material).

5. **Comma and Period Usage**
   a. **Serial Comma:** When providing a list, use the serial comma (e.g., “dogs, cats, and birds); the serial comma is before “and.”
   b. **But Commas:** No comma is used before “but” in a sentence when the clause following “but” is not in opposition to the clause preceding “but.”
   c. **Periods and Parentheses:** The period is enclosed within the parentheses if an entire *independent* sentence is within the parentheses; otherwise, when only a phrase is within the parentheses, the period follows the closing parenthesis (as in the example of this sentence).

6. **Numbers**
   a. In the article’s text, and in the footnotes, numbers from zero through one hundred used in a sentence are spelled out (e.g., “four” instead of “4”), unless they are in a series.
   b. In the article’s text, use Arabic numerals for numbers used in equations and/or those used before the word “percent.” In the text and footnotes of the article, “percent” is spelled out.

7. **Abbreviations, acronyms, and shortened names**
   a. **U.S. and EU:** Use the U.S. and EU abbreviated forms when using those terms as an adjective (e.g., U.S. antitrust enforcement; EU competition authorities) and use United States and European Union when using those terms as a noun (e.g., “policy in the United States”; enforcement in the European Union.) When using the abbreviated forms, use the periods for U.S. and no periods for EU, EC, and UK. (i.e., “U.S.,” not “US”; and “EU,” not “E.U.”)
   b. **DOJ and FTC** may be used for “Department of Justice” and “Federal Trade Commission,” following the first full spelling out of each. No periods are used after the letters (i.e., the DOJ, NOT D.O.J.). There is no need to put DOJ and FTC in a parenthetical after their first use. See also the *Antitrust Source* Cite Checking Guide memo for additional abbreviations.
   c. **The Guidelines:** Following the first mention of the DOJ/FTC Horizontal Merger Guidelines, refer to the Guidelines consistently (i.e., pick one but do not mix-and-match: “Guidelines,” “Merger Guidelines,” “DOJ/FTC Merger Guidelines,” etc.). This style change applies to footnotes as well.
d. When using an abbreviation, acronym, or initials (other than the DOJ or FTC discussed above), put the abbreviation in parentheses following the term but do not use quotation marks around the abbreviation, e.g., General Motors Corporation (GM). For the plural form of an acronym (e.g., HMOs, PBMs), no apostrophe is needed to create the plural. There is no need to put acronyms in parentheses in obvious cases.

e. **Names:** The first time a person is named, use the full name and title (e.g., former FTC Chairman Timothy J. Muris); after the first reference, a casual reference can be used (e.g., Muris, Tim Muris, etc.).

8. **Hyphens, Slashes, and Dashes**
   a. **To hyphenate or not to hyphenate, Part I:** Compound adjectives (e.g., “decision making,” “standard setting,” and “price cutting”) should be hyphenated when used as an adjective, but there is no hyphen when used as a noun. But close up “policymaking” and “rulemaking.”

   b. **To hyphenate or not to hyphenate, Part II:** “multidistrict” (and all “multi” compounds), “postmerger,” “premerger,” “procompetitive,” and “anticompetitive” are closed up and not hyphenated; same for most words with prefixes and suffixes. The exceptions are: “pre-acquisition,” “post-acquisition,” and the “quasi-” compounds (e.g., quasi-judicial).

   c. **Hyphens vs. Slashes:** Use hyphens to link word pairs to show a close relationship (e.g., attorney-client privilege); use slashes to indicate a difference or division (e.g., cost/benefit analysis) and merger partners: GE/Honeywell or GM/Toyota. We do not italicize mergers unless they are the parties’ names in a litigation.

   d. **Dashes:** The en dash (--) is used in place of the word “to” between numbers, dates, and places to denote extent or duration (e.g., the New York-London flight); the em dash (--), essentially a double en dash (with no space between) can be used as an alternative to parentheses or commas for setting off a phrase or clause. No spaces are used before and after the em dash.

9. **Fonts**
   a. When in the main text, case names (whether the full case name or a short form) are italicized. When referring to a publication (e.g., a book, serial, or periodical) in the article’s text, use italics.
b. Common Latin phrases such as “et al.,” “per se,” “i.e.,” “e.g.,” “vice versa,” “certiorari,” “per curiam,” “en banc,” “ad hoc,” “ex post,” “ex ante,” and “etc.” are not italicized.

10. Miscellaneous Style and Grammar Tips

a. **Contractions** are considered informal and are not used.

b. “That” vs. “Which”: “That” and “which” are not perfect substitutes; “that” is used to introduce a limiting or defining clause while “which” introduces a parenthetical (i.e., non-defining) clause.

c. “Who”: Who is used to refer to people, not companies or things.

d. **Possessives**: Follow the basic Strunk & White (*Elements of Style*) guidelines on possessives. The most common mistake is not adding the “‘s” to a name ending in “s” or “x.” For example, “Charles’s wedding” and “Justice Thomas’s decision.” We do not add an “‘s” to a plural name ending in s when it is the name of a case (e.g., Dr. Miles’ rule regarding RPM.) We do not use the possessive to refer to a multiple year time period, as in “the 1960s.”

e. **Neologisms**: *Antitrust Source* style discourages the use of jargon and made up words. For example, “disincent” is not a verb. Nor is “incentivize.”

f. When referring to both parties in the case (and using the terms “plaintiff” and “defendant”), the proper terminology would be “the plaintiffs and the defendants.”

g. **Spelling**: Use U.S. standard spelling (e.g., “favor,” not “favour”).

h. **Phrases to avoid**:
   i. “in order to” substitute “to”
   ii. “utilize” substitute “use”
   iii. “are in accord” substitute “agree”
   iv. “with respect to” substitute “with” or “about” or eliminate
   v. “with regard to” substitute “with” or “about” or eliminate
   vi. “abundantly clear” avoid it
   vii. “crystal clear” avoid it
   viii. “to be sure” avoid; suggests argument