

From: Alfred Ferris [mailto:AFerr[REDACTED]]
Sent: Friday, June 22, 2012 4:29 PM
To: Read, John [John.Read@ATR.USDOJ.gov]
Subject: Comments on proposed settlement in U.S. v. Apple, Inc., et al., 12-cv-2826 (DLC) (SDNY)

Dear Mr. Read:

I am writing you as a lawyer, literary agent and just plain concerned citizen to register my objection to the proposed settlement with three of the defendant publishers in the above-referenced case. Quite simply, by urging the settlement in its current form, the Justice Department would be sanctioning the destructive, anticompetitive campaign of one corporate giant (Amazon) with billions in cash and boundless ambitions to further dominate the e-book and print book markets even more than it already does. The proposed settlement would create the bizarre situation, without precedent in antitrust history, of the Justice Department intervening on the side of an extreme monopolist to help it further entrench and extend its monopoly. The settlement, without radical amendments, would further contribute to the destruction of bookstores and the bankrupting of the independent publishing industry as we know it, an industry which has contributed mightily to our intellectual and democratic heritage and institutions. It also would chill intellectual output by authors whose royalties, never generous to begin with, will be further squeezed by the monopolist.

I urge the Justice Department to reconsider its support of this proposed settlement and Judge Cote to reject it.

It is my understanding that these comments along with all others received before June 25, 2012, will be provided to Judge Cote. Thank you for your attention.

Alfred G. Ferris
aferris@ferrisbritton.com
Ferris & Britton, A Professional Corporation
401 West A Street, Suite 2550
San Diego, CA 92101-7901
www.ferrisbritton.com
Tel (619) 233-3131
Fax (619) 232-9316