

From: Marlowe[REDACTED] [mailto:Marlowe[REDACTED]]
Sent: Saturday, June 23, 2012 3:07 PM
To: Read, John [John.Read@ATR.USDOJ.gov]
Subject: US v Apple Inc. et al., 12-cv-2826 (DLC) (SDNY)

Sir,

Justice Brandeis once said that if, by close reasoning from accepted premises, you reach a conclusion that offends your sense of what is right, you should go back and examine the premises, for they may not be as solid as they seemed.

As an editor, writer, and widow of a writer, I implore DOJ to rethink its position in *US v Apple et al.* The law, broadly, aims to promote competition and protect against would-be monopolists. But DOJ is effectively aiding Amazon in its march toward monopoly. And we're not talking about WalMart forcing out mom-and-pop stores that sell shoes and shampoo. Here the very marketplace of ideas is at risk.

If, in the face of Amazon's attempt to corner their market, the behemoth's competitors acted in parallel, that does not constitute the "collusion" the law condemns. Even if they acted in concert, they could have no aim but simple preservation of their free market. Amazon all by itself is a "combination in restraint of trade," and in Teddy Roosevelt's day the trust busters would have been eyeing Amazon, not its victims.

Please give careful consideration to the positions the Authors Guild has ably and cogently expressed. They are on the side of the angels here. They are on the side that Justice Brandeis would have approved.

Respectfully,
Ann Marlowe