



Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, NOVEMBER 13, 2003
WWW.USDOJ.GOV

AT
(202) 514-2007
TDD (202) 514-1888

FORMER INDIANAPOLIS BOOKSTORE MANAGERS INDICTED ON PRICE-FIXING CHARGE

WASHINGTON, D.C. – A federal grand jury in Indianapolis today indicted the former managers of competing bookstores serving the Indiana University Purdue University Indianapolis (IUPUI) joint campus for participating in a price-fixing conspiracy involving the sale of medical and other textbooks, the Department of Justice announced.

According to the indictment filed today in U.S. District Court in Indianapolis, Harold E. Vogel, the former manager of IUPUI's textbook stores, and Dennis L. Saner, the former manager of a competing off-campus bookstore, conspired to eliminate competition in the market for medical and other textbooks sold on or near the IUPUI campus from approximately April 2001 through November 2002.

Textbooks are typically, though not exclusively, purchased by undergraduate and graduate students at colleges, universities, and other institutions of higher learning for use in conjunction with specific class requirements. Medical textbooks are textbooks that are primarily published for, and sold to, students whose studies focus on medicine, health sciences, and related fields.

“When competitors stop competing and start colluding, consumers lose,” said James M. Griffin, Deputy Assistant Attorney General in charge of the Antitrust Division's Criminal

Enforcement Program. “Students should be able to enjoy the benefits of competition-- competitive prices and more choices.”

According to the charge, the conspirators organized and participated in a meeting to discuss competition between their bookstores on or near the IUPUI campus. At that meeting the conspirators agreed to eliminate discounts on medical textbooks and to increase their profit margins for new textbooks from 25 percent to 27 percent.

Saner and Vogel are charged with price fixing in violation of the Sherman Act (15 U.S.C. § 1), which carries a maximum penalty for individuals of three years in prison and a fine of \$350,000. The maximum fine may be increased to twice the gain derived from the crime or twice the loss suffered by the victims of the crime if either of those amounts is greater than the statutory maximum fine.

The ongoing investigation of the retail textbook industry is being conducted by the Antitrust Division's Chicago Field Office. Anyone with information concerning price fixing or other anticompetitive conduct in the retail textbook industry should contact the Chicago Field Office of the Antitrust Division at 312-353-7530.

###

03-618