

From: Lynn Russell [<mailto:lynn.russe>]^[REDACTED]
Sent: Thursday, May 31, 2012 4:21 PM
To: Read, John
Cc: Fairchild, Stephen; lynn.russe^[REDACTED]
Subject: Comments re: United States v. Apple, Inc. et al., No. 12-CV-2826(DLC) (S.D.N.Y.)
Importance: High

Dear Mr. Read,

As an early adopter of the Kindle ereader (I got mine in 2008) I am in a position to comment directly on the change in ebook prices before and after Apple's entry into the ebook world. In fact, I have been negatively impacted by the collusion between the publishers and Apple firsthand.

Prior to this "deal," I was happily purchasing digital copies of mass market paperbacks, most of which are published by the "Big 6" publishers at a significant discount. For example, if the paperback price was \$6.99, a common price at that time, I'd be able to purchase the ebook for a price of \$4.59 to \$5.69. Because of this pricing structure, I was able to purchase and read *more* books than I was able to if I had to buy the paperbacks. In fact, one of the reasons I was so delighted with the Kindle, which I received as a gift, was because I could read more books. As a lifelong avid reader, this was as close to heaven as I could get!

Once Apple entered this arena, and notably after they announced their deal with the publishers, the first thing I noticed was that many of the authors I typically read (and read faithfully) were missing from Amazon. It seems that, as explained in a letter by Jeff Bezos, the publishers had pulled their ebooks from Amazon because that company wouldn't agree to the higher price structure. Then, shortly after this, the titles were back, at the same price or higher than the paperback. This resulted in two things happening simultaneously. I bought fewer of the "traditional" publishers' books, and I started looking for cheaper ebooks. You see, I had gotten used to reading all the books I wanted and I wasn't about to go back to reading fewer. In addition, since I belonged to "frequent purchaser" programs at Barnes and Noble, Books-a-Million and Borders, I could get the paperbacks at a minimum of 10% off the list price. Why should I pay full price for an ebook that cost less to produce?

In the ensuing years, I have continued to purchase a high number of ebooks, not only from Amazon, but from several other web sites as well. At this time, my ebook collection numbers a total of 3,024 ebooks, not to mention blogs, articles and magazines. This is a perfect example of the fact that switching to digital content, and low-priced content at that, has NOT caused me to buy fewer books, as the publishers claim, but instead has allowed me to purchase many, many times the amount of print books I could afford in a single year.

Mr. Reid, I was a consumer who rejoiced when I learned of this lawsuit. In the past few years, it has seemed the government has cared little for the average citizen, that middle-class person who isn't rich, but has a good life. I've watched as companies get rewarded for decimating whole segments of the economy and was myself a victim of unfair mortgage practices. It is refreshing to find someone who is willing to do what is right rather than what is personally profitable and I applaud you. So I'm asking you to please consider strongly the words I've written. They represent many, many people who just want to be able to read good books without someone personally getting rich off that desire. Please don't fall for the line that the publishing companies are handing you. They have high-priced, highly-educated lawyers to argue their side of this case. All I have is an email address and a belief that you will deal fairly and listen to people like myself. I am confident you won't let me down.

Sincerely,

Lynn Russell
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