

**From:** [Anne Bernstein](#) [anneber[REDACTED]]  
**To:** [Read, John](#) [John.Read@ATR.USDOJ.gov]  
**Subject:** Re: United States v. Apple, Inc., et al.  
**Date:** Tuesday, June 05, 2012 7:54:08 PM

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To; John R. Read, Esq.  
Chief, Litigation III  
Antitrust Division, U.S. Department of Justice  
450 4th Street NW, Suite 4000  
Washington, D.C. 20530

Re: United States v. Apple, Inc., et al., 12-cv-2826 (DLC) (SDNY). Comments on Proposed Final Judgment as to Defendants Hachette, HarperCollins and Simon & Schuster.

Dear Mr. Read,

As a published book author and a lifelong avid reader, I implore you to re-examine the Justice Department's ill-advised position on the above litigation. As argued, the Justice Department seems to be limiting its analysis of the competitiveness/anti-competitiveness of the agency model of online sales strictly to whether it unfairly limits competition in **internet** sales. But the ramifications of this decision are much more extensive. The proposed settlement would create a threat to book publishing overall, further endangering the dwindling numbers of brick-and-mortar bookstores, who will not be able to compete with Amazon's predatory pricing. It is in the interest of small business owners, publishers, authors and--especially--readers that this settlement not be how this matter is ultimately resolved.

Please convey to Judge Denise Cote the need to take a more comprehensive view of the publishing and book distribution landscape--what looks like it will enhance competition when online sales are looked at with a narrow focus will have the opposite effect when the entire landscape is taken into account.

Very truly yours,

Anne C. Bernstein  
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