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May 19, 2012

John R. Read, Chief, Litigation III Section
United States Department of Justice
450 5th St NW, Suite 4000
Washington DC 20530

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LITIGATION III, ANTITRUST DIV
U.S. DEPT. OF JUSTICE

Dear Mr. Read:

I am writing to add my voice as an author, publisher, and reader to those who are NOT opposed to the terms of the proposed settlement reached with three of the publishers named in the agency price-fixing suit.

Unlike some of the publishers named in the suit, I'm not part of a major media conglomerate and I do not own newspapers and television stations around the globe. I publish my own work.

I'm one of thousands of writers who found the rights-grabbing terms of contracts offered by "traditional" publishers -- designed to profit on my work without paying me an appropriate share of those profits -- unacceptable. As an independently published author, I offer my books for sale to readers at lower prices than charged by my previous publishers while earning more per copy.

This option was not available to authors only a few short years ago. Then we were at the mercy of gatekeepers -- literary agents, publishers, distributors -- many of whom have written to protest the settlement in a desperate attempt to shore up their failing business models.

In this new publishing environment, readers have more books to choose from, many of which are offered at much lower prices. The large publishing conglomerates can no longer control what consumers can purchase and read and can no longer exploit authors. They protest because they fear they will see a significant reduction to their sales and profits as a result (although this has not yet happened because of their unethical if not illegal practices).

Nor is the situation unique to the publishing industry. The internet has made all kinds of "necessary" middlemen optional -- and given consumers more choices and price breaks. This hasn't stopped those who benefitted from these disappearing paradigms from fighting desperately to hang onto their monopoly over products and services to the detriment of consumers.

Best-sellers such as Scott Turow, president of the Authors Guild, and literary agents such as Gail Hochman, president of the Association of Authors' Representatives, are **individuals** using their positions to advocate for maintaining the status quo. In doing

so, they erroneously claim to represent the interests of writers and readers. In reality, however, fear of change and fear of competition, not advocacy for writers and/or readers, is driving literary agents, publishers, and best-selling authors to support the agency model while trying to claim there is any benefit for anyone other than their own profit statements.

Publishers, in collusion with literary agents and best selling authors, have worked to impose higher prices on retailers, showing contempt both for the readers who purchase their books and for the authors whose sales have suffered as a result of these artificially higher prices. At the same time, publishers, with the assistance of agents, have increased their profits by reducing payments to authors (even those who are best sellers); requiring authors to sign contracts which include restraint of trade clauses; and using questionable accounting practices to hide e-book income and avoid paying royalties.

I would ask that the DOJ share this letter with the presiding judge so that the only voices heard in relation to the proposed settlement aren't those orchestrated by the global media conglomerates, owners of controlling interest in the defending publishers.

Sincerely,

A handwritten signature in cursive script, appearing to read "I.G. Frederick".

I.G. Frederick