

From: Zetta Brown [mailto:zwb[REDACTED]]
Sent: Thursday, June 14, 2012 10:11 AM
To: Read, John
Subject: Public Comment Re: Civil Action No.1:12-CV-2826

John Read
Chief, Litigation III Section
Antitrust Division
U.S. Department of Justice
450 5th Street, NW, Suite 4000
Washington, DC 20530

Re: Civil Action No.1:12-CV-2826

Dear Mr. Read,

With regard to the proposed Final Judgment reached by the government with Hachette, HarperCollins, and Simon & Schuster, retailers and distributors must be allowed to compromise and reach an agreement that allows both sides a suitable profit--after all, profit is what it's all about. This is business--while still being able to provide the consumer with what they want and/or need. Greed on either side is not beneficial. If it gets out of hand, not only does the consumer suffer, but the industry itself.

When it comes to the price of books--or anything--how low is too low? No producer should be forced to lose money in order to deal with a certain distributor and no distributor should expect a provider to give them what they want for nothing. This kind of behavior also prevents smaller businesses and industries from flourishing--*competing*--and boosting the economy because the "big dawgs" have wrapped the *entire* industry around themselves, and what happens to them will trickle down to affect those smaller and less powerful.

Speaking as an author, publisher, *and* small business owner, honoring contracted terms is the issue, not retail cost. If payment terms are agreed to in a contract, they should be honored regardless to what final price the item sells for. If a retailer chooses to discount an item to be competitive (or create a loss leader), they should absorb the cost--not the producer. Similarly, if Producer X chooses to use Distributor A where they realize a *lower* profit margin--not *nonexistent* but *lower*--than they do with Distributor B, Producer X should absorb the cost. If, at the *end* of that contract new terms cannot be agreed upon, either or both parties can walk away.

There should be equal access and *sliding* access so there can be participation from large and small alike. This is what free enterprise is about. Without it, you create a monopoly, and a monopoly on either side is still a monopoly.

Also, is it not ironic that the government is "saving money" by foregoing the *printing* of the comments being made in this case by opting for

electronic means? How can the DOJ sit in judgement of businesses and industries trying to generate profit whilst covering their costs?

Zetta Brown
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