

From: Erika Storella [mailto:erik[REDACTED]]
Sent: Monday, June 25, 2012 11:10 AM
To: Read, John
Cc: Fairchild, Stephen
Subject: United States v. Apple, Inc. et al., No. 12-CV-2826(DLC) (S.D.N.Y.)

June 22, 2012

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

Re: United States v. Apple, Inc. et al., No. 12-CV-2826(DLC) (S.D.N.Y.) – Comments on Proposed Final Judgment as to Defendants Hachette, HarperCollins, and Simon & Schuster

Dear Mr. Read,

I am writing to express an opinion on the Department of Justice's lawsuit against Apple, Hachette, HarperCollins and Simon & Schuster.

Before I entered the publishing field, I was a graduate student, immersed in social science theory, reading groundbreaking works that revealed insights about how we live, think, and interact. During my studies, I became interested in how these ideas spread beyond academia into mainstream culture. The revelation that publishing (along with teaching) is a crucial gateway through which important discoveries reach a wider audience led me to pursue a career in the book industry. This is all to say that as a former scholar and one-time teacher, now a literary agent, and a lifelong avid reader, I greatly value books.

I also support wide access to books through a competitive marketplace that includes large retailers and e-tailers, independent and local booksellers, and libraries. I firmly believe that this lawsuit will not bring about greater access and competition. Before the agency model was introduced, a single retailer had 90% market share and sold books at a loss, making it nearly impossible for other retailers to compete with them.

I agree with David Carr of *The New York Times* who wrote, “The deal struck with Apple also allowed other players into the e-book business, including independent bookstores. Previously, Amazon’s \$9.99 subprofit price was a virtually impenetrable barrier to entry for anyone who couldn’t afford to lose millions in order to gain market share. Remember that it was only after agency pricing went into effect that Barnes & Noble was able to gain an impressive 27 percent of the e-book market.” (April 15, 2012)

To sum up, books are too important to individuals and society as a whole to allow one player to be in a position to dictate terms to publishers and force other competitors out

of business. Apple's entry into e-book publishing helped to diversify the field and offered more options for readers.

Sincerely,

Erika Storella

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