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

It is ironic and deeply tragic that the Justice Department chose to fly past the elephant in the room and land on the beleaguered publishers to pursue a suit for monopoly. Too bad it's not merely the game of Monopoly which we could simply stop playing and, presto, no consequences! But, this is the game of Life, specifically the Life (or Death!) of a vital, diverse and free (free, in the sense of liberty) industry which is at the core of a vital, diverse and free (especially, in the sense of liberty) democracy. Our democracy. And it's deeply threatened.

The long standing model for a viable publishing business has been three-part: the creator (the author), the manufacturer (the publisher), the seller (the bookseller). Within that trinity has always been a remarkable collection of some of the most independent, vocal, articulate, passionate people on the planet with an underlying and abiding mutual respect for each others' crafts. The old fashioned idea that a writer would be taken under the wing of a publisher, who would provide an editor to coax out, guide and nurture "the story" and that story would be finally presented to the sales team who would take it out to the bookseller who would read it, be excited about it, be thrilled to press it into the hands of a customer saying "I know you are going to love this book!". Ultimately, the customer coming back hungry for more. And the wheels keep turning...and there lies the craft. It wasn't that long ago...it was a magical world. Everybody benefited! Recently, we seem to have embraced the illusion that each of us could do just fine without anyone. In the case of the book business, without any one, or all three, of these components. Get rid of the middlemen! Go right to "the

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source"! Amazon has positioned itself as the replacement, first of the bookseller, then of the publisher, and next, no kidding, as outrageous as it seems, it's coming (or "going" expresses it more appropriately) of the author.

Amazon has come very close to fulfilling its mission as "The Source" for All Products, to All People. Ultimately, (why not?) to all people on the whole planet...and then, likely, beyond!.

How did a company with a business plan to sell a product (books) at **just above cost, or at cost, or even less than it paid for them**, become the primary source for that product? First, that company had to be held afloat by the investment community (who was determined to usher in the commercial age of the Internet, and Amazon was The shining example...whatever it took (including propping it up while it undersold the competition till the competition just simply disappeared!) and the unwitting publishers who were floating the inventory waiting patiently to be paid (rather than never be paid should the experiment fail). Also, clever of Amazon to pick a product with a price printed upon it (there are very few of those in the marketplace) and therefore an item primed for discount, ready to be devalued. Of course, the added advantage of a product, a search for which, could yield so much endlessly valuable data (algorithmically priceless!), made books a supremely desirable product.

So the "smart", arcane world of publishing was eviscerated well before the eBook rolled onto the scene. But lo, add insult to injury, the handful of independent booksellers who'd survived the onslaught had no access to the new product (eBook) and therefore were simply out of the game. Just like that! And the publishers, who were struggling to stay in the game with their heads still attached, find the Justice Department bearing down on them with a hatchet. **That Amazon doesn't, and never did, have to sell books at a price that is sustainable is absolutely key here.** For The Justice Department to overlook the necessity for the industry to stay viable, that is, for its product to be sold above cost, for it to be sustainable, is to miss the crucial point. **Why go after the publishers for striving for sustainability?**

Why not go after Amazon for loss-leading the whole industry over the cliff? I would hope the Justice Department has a more complex and nuanced view of its role in protecting the American consumer than to have "value" reduced merely to price! Amazon is a marauding monster offering the lowest price at a TREMENDOUS PRICE to our culture's future! If it all comes down to how little we pay, in the end we will get what we pay for.

So, as a passionate bookseller for over 40 years and as a citizen deeply concerned about the concentration of information and power in the hands of a few people (or worse: one company!), I implore you and The Justice Department to look more deeply, see the Big Picture and proceed with care to insure the free flow and independent access to ideas, not just for now, but for the harrowing years to come. Thank you for your time and consideration.

Sincerely,

Patricia Vunk

Owner, The Dolphin Bookshop

Port Washington, NY 11050

P.S. Please look into an incident that happened several years ago, when Amazon made available on it's Kindle an edition of George Orwell's 1984 (absolutely eerie that it was this particular title) which had not been authorized by the publisher, Random House. When Random House notified Amazon about the copyright violation, Amazon took immediate action: deleted all copies of that version from all Kindles instantaneously. What frightening power! What a chilling thought should we ultimately be left with only one "source" for all.