

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

Dear Mr. Read,

My husband and I own McLean and Eakin Booksellers in Petoksey, Michigan. Although we are a small town, we are a community of big readers, and big thinkers. If you are fortunate enough to have your own favorite independent bookstore, you understand what a huge difference even a 5,000 square foot space full of books, booksellers, and readers can mean to a community. Over the past 20 years, our store has cultivated our position in the Northern Michigan area as a bookstore that is politically involved, and extremely forward thinking in regard to technology; specifically in regard to eBooks. We were one of the very first independent bookstores to support selling eBooks so that our customers would have access to books, regardless of their location. It comes as no surprise to us when customers say they drive over 3 hours to get to our bookstore. You can imagine the impact eBooks have had on those customers. Access to books, regardless of how far they are from a physical bookstore is a phenomenal concept for them. So far, they haven't had to purchase those books from anyone outside of our state. This is a huge gain for a state in as dire an economic situation as Michigan's. The thing that has made selling eBooks a viable option for our bookstore is the Agency Model.

We understand that in the current settlement with several large publishers, namely Hachette and Harper Collins, the punishment for their alleged collusion would be to eliminate the Agency Model. This is extremely disturbing, and a highly illogical punishment that I hope you will reconsider. Elimination of the Agency Model will not punish the publishers. It will punish independent bookstores and consumers like mine. If in fact you do find that they publishers colluded, then by all means, punish them, but I have not done nothing, nor have my customers, to deserve such punishment. Elimination of the Agency Model is a quick fix, and one of those ideas that may "seem like a good idea at the time," but if you look at the big picture, which it is certainly your responsibility to do, you will find that you are catering to one company, and one company only. Amazon will benefit, and only Amazon will benefit if you do away with the Agency Model. That huge corporation can sell books at a loss in order to drive customers its way for a variety of other products that subsidize its bottom line. Independent bookstores do not have that luxury.

We sell books. We have to sell them at the retail price, or we will go out of business the same way that Borders has. Selling eBooks at a loss is not a sustainable model for bookstores, for authors, for editors, or for publishers. A lot of time and money goes into producing, selling, and marketing books. If the Agency Model is eliminated, so too will the number of quality books accessible to the public be eliminated. The publishing industry is a frail and easily

collapsible system. It is one of the few places where good intentions, trust, honesty, and a commitment to the written word remain. Please do not destroy that outlet for good literature by eliminating competition in the eBook market. That is what the elimination of the Agency Model will do. You will hand Amazon a monopoly in the eBook market, and eliminate us (small bookstores) as a viable option for consumers. Driving our customers away is certainly not the role of the Department of Justice, and I hope that you will choose not to do so. Please come up with another option that fosters competition in the marketplace, and leaves a legacy to the public that the written word has value beyond its price.

Thank you for your consideration,

Jessilynn Norcross (signed copy to follow)  
McLean and Eakin Booksellers  
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