

June 20, 2012

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

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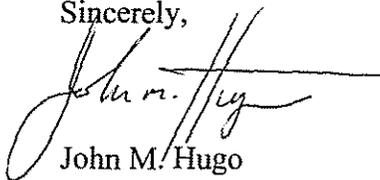
LITIGATION III, ANTITRUST DIV.  
U.S. DEPT. OF JUSTICE

**Re: Comments on the Proposed Consent Decree in *United States v. Apple, Inc., et al.*, 77 Fed. Reg. 24518 (April 24, 2012)**

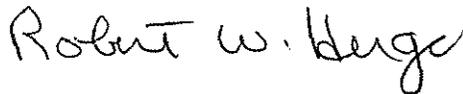
Dear Mr. Read:

We are writing to express concern over the case before the courts regarding eBooks and the agency pricing model. As independent bookstore owners for the past 50 years we have come up against the chains both small and large and survived, then survived the arrival of Amazon.com and finally we have assaulted eBooks. A few short years ago Amazon introduced eBooks and its revolutionary Kindle eReader that changed the landscape again for bricks and mortar bookstores. Amazon used below cost pricing to affectively gain more than 90 market share. An independent store simply could not compete when we were selling the same book for \$20-\$25 more than Amazon. The advent of the Agency model finally gave us a foot in the door and the market opened up to many competitors. Barnes and Noble launched the very successful Nook, independent bookstores partnered with Google and we began to sell quite a few eBooks to our customers. Finally, the market was diversified and we could get back to selling books and collecting and remitting our taxes and keeping our business alive and vibrant in our town. We sincerely hope that the department of justice reviews this case carefully and does not end competition and diversity in the eBook market simply for the sake of competition. That will leave a world where Amazon.com owns the entire eBook market as a loss leader and leaves many bricks and mortar bookstore out in the cold.

Sincerely,



John M. Hugo  
HugoBookstores



Robert W. Hugo  
HugoBookstores