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STATE OF CONNECTICUT
ATTORNEY GENERAL GEORGE JEPSEN



March 7, 2016

Statement from Attorney General Jepsen on US Supreme Court Cert Denial in Apple eBooks Appeal

Attorney General George Jepsen today issued the following statement on the United States Supreme Court's denial of a petition seeking *certiorari* filed by Apple, Inc. in the eBook price-fixing litigation:

"This settlement agreement represents a fair effort by all parties to resolve this litigation, and the Supreme Court's refusal to review the case resolves the most significant remaining hurdle to enforcement of the terms of the agreement. In 2013, the District Court ruled that Apple conspired to restrain the marketplace for eBooks. Today's denial is welcome news for consumers – it affirms an important antitrust ruling that Apple orchestrated a conspiracy among publishers to raise eBook prices and clears the way for consumers to receive the relief guaranteed them under the settlement.

"I am incredibly proud of my staff for their hard work over several years, which has brought us to this resolution today, and I'm grateful for the partnership of my fellow attorneys general and the Department of Justice throughout this litigation. This enforcement action and the settlements that arose from it reflect my continued commitment to ensuring Connecticut consumers the benefits of an honest, open and competitive marketplace."

The litigation and settlement in this case stemmed from a two-year investigation conducted by the Offices of the Connecticut and Texas Attorney General and the U.S. Department of Justice. The 33 plaintiff states in the litigation reached a contingent settlement with Apple in July 2014. In June 2015, U.S. Court of Appeals for the Second Circuit affirmed the District Court's ruling. Today's denial of *certiorari* marks the end of Apple's appeals.

Under the settlement, Apple agreed pay \$400 million in compensation to eBook consumers and \$50 million in other relief if it lost its appeal of the District Court's ruling that the company played a central role in facilitating and executing a conspiracy designed to eliminate retail price competition in order to raise eBook prices. A total of \$166 million in settlement funds have already been distributed to eBook consumers across the country through previous settlements with the five publishers involved in the price-fixing conspiracy.

Connecticut consumers are expected to receive approximately \$6 million in restitution through this settlement, which will be issued in the form of credits from the various eBook sellers, as was done in the previous settlements; approximately \$1 million will be deposited in the state's General Fund.

Assistant Attorneys General Joseph Nielsen, Gary Becker, Richard Porter and Kirsten Rigney; Paralegal Holly MacDonald; and Assistant Attorney General Michael Cole, chief of the Antitrust and Government Program Fraud Department assisted the Attorney General with this matter.

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