



NEWS RELEASE

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South Dakota Residents to Begin Receiving Refunds from Settlement of EBook Price Fixing Lawsuit

PIERRE, S.D – Attorney General Marty Jackley announced today that South Dakota consumers will begin receiving account credits or checks this week in partial settlement of a 2012 E-book price-fixing lawsuit brought by Attorneys General from 33 states. The lawsuit was brought against Apple, Inc. and five of the six largest E-book publishers in the country. Those E-book publishers -- Hachette Book Group Inc., HarperCollins Publishers LLC, Simon & Schuster Inc., Holtzbrinck Publishers, LLC, d/b/a Macmillan, and Penguin Group (USA) Inc. -- settled the claims against them for a total nationwide payment of \$166 million, of which \$390,509.84 will be distributed to South Dakota residents.

“This settlement restores competition in the E-book market and provides a refund to South Dakota consumers that were affected by the E-book price fixing,” said Jackley.

An account credit or check will be based on the number of eligible E-books purchased by a consumer during the claims period (April 1, 2010 to May 21, 2012). Whether a consumer receives a credit or check depends on the retailer through which the E-book was purchased and, in certain circumstances, on whether a claim was properly filed or on whether a consumer specifically requested a check. Eligible consumers should review their email for communications from their E-book retailer, or from the Settlement Administrator, regarding account credits or checks. For more information on the settlements, please visit www.ebookagsettlements.com.

Apple declined to settle the claims against it, and the District Court conducted a three-week trial in June 2013. Following that trial, the United States District found that Apple played a central role in facilitating and executing a conspiracy to eliminate retail price competition in order to raise e-book prices, in violation of federal and state antitrust laws. A second trial to determine the amount of damages Apple must pay for that violation has been tentatively scheduled for late summer. If successful, additional account credits or checks will be distributed to consumers in the future.