MADISON — Attorney General J.B. Van Hollen has announced that Wisconsin consumers will begin receiving account credits or checks this week in partial settlement of a 2012 E-book price-fixing lawsuit brought by the Wisconsin Department of Justice and the offices of Attorneys General in 32 other 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 approximately $3 million will be distributed to Wisconsin residents. The U.S. District Court for the Southern District of New York has now approved those settlements.

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, U.S. District Judge Denise Cote 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 May. If successful, additional account credits or checks will be distributed to Wisconsin consumers in the future.

“Consumers are entitled to a fair, open and competitive marketplace. When a company is found to have violated the antitrust laws, as Apple did here, consumers who have suffered as a consequence of that violation are entitled to compensation,” Van Hollen said. “At the upcoming damages trial, Wisconsin, along with Connecticut, Texas and New York, will be working on behalf of our partner states to obtain substantial, additional monetary compensation for consumers, as well as civil penalties for the state.”

Assistant Attorney General Gwendolyn J. Cooley represents the State of Wisconsin in this matter. For previous news releases related to this matter, please visit the following links:

News Release July 10, 2013
News Release October 12, 2012