



**Court Affirms Potential \$450 Million Settlement with Apple in E-books Price-Fixing Class Action**  
*Second Circuit upholds District Court decision, Apple loses appeal*

**SEATTLE** – Hagens Berman attorneys representing a class of e-book purchasers announced today that the Second Circuit has affirmed a District Court ruling, bringing consumers one step closer to a proposed \$450 million settlement with Apple (NASDAQ: AAPL) for its role in an [alleged e-book price-fixing scheme](#) with five of the nation’s largest publishing companies.

With the court’s decision, the settlement will provide at least \$400 million to consumers, potentially reaching a total amount of more than \$560 million when combined with settlements with the publishing companies – more than twice the amount of losses suffered by the class of e-book purchasers. The decision rejects Apple’s appeal and upholds Judge Cote’s findings. Apple may still petition the Supreme Court to try and reverse Judge Cote and the Second Circuit – both finding Apple liable for price fixing e-books. Hagens Berman litigated the case jointly with the attorneys general from 33 U.S. states and territories.

The class of consumers alleged that Apple illegally colluded with a group of five publishing companies to manipulate the e-book market by artificially raising the price of e-books, lowering competition and charging consumers higher prices.

“Class counsel took risk in agreeing to a settlement in which Apple paid \$50 million if they won the appeal or \$450 million if they lost. We took that risk because we believed that the evidence and the law supported our view that Apple’s conduct clearly violated the Sherman Act,” said Steve W. Berman, managing partner of Hagens Berman and lead attorney representing the consumer class. “The decision today agrees with our view, shared by one of the most respected district court jurists and appellate circuit courts in the United States”

Under the terms of the e-books settlement, Apple will pay consumers \$400 million, as Apple’s appeal of a 2013 bench ruling found the company guilty of federal antitrust laws was dismissed. In July 2013, after a trial involving the Department of Justice and numerous state attorneys general, Judge Cote of the District Court for the Southern District of New York found Apple guilty of violating both federal and state antitrust laws. Apple unsuccessfully appealed this ruling to the Second Circuit.

Prior to this proposed settlement, Hagens Berman and the state attorneys general secured \$166 million in settlements on behalf of consumers from the five publishing companies that allegedly conspired with Apple. Hagens Berman represents purchasers of e-books in 19 states and four U.S. territories, with the balance of the states represented by their respective attorneys general.

“This anticompetitive price-fixing collusion between Apple and the publishers caused the price of e-books to skyrocket 30 to 50 percent,” Berman said. “We knew the legal battle for consumers would be a challenge and include risks, and we’re pleased at the recovery we have been able to secure.”

Read more about [Hagens Berman’s lawsuit against Apple and e-book publishers](#).

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**[About Hagens Berman](#)**

Hagens Berman Sobol Shapiro LLP is a consumer-rights class-action law firm with offices in nine cities.

The firm has been named to the National Law Journal's Plaintiffs' Hot List eight times. More about the law firm and its successes can be found at [www.hbsslaw.com](http://www.hbsslaw.com). Follow the firm for updates and news at [@ClassActionLaw](https://twitter.com/ClassActionLaw).

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