

Federal suit against book chains nears

Borders Bookstore

1.24.01

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The windows have been replaced and all seems to be quiet in the Santa Cruz bookshop wars. But people on both sides of the battle expect things to pick up again, soon.

SANTA CRUZ

"We're just biding our time," said Sheri Culberson, Borders community relations coordinator. Two weeks ago, the bookstore replaced the dozen windowpanes protesters smeared with acid in June.

Meanwhile, down the street from Borders, Bookshop Santa Cruz owner Neal Coonerty is preparing for a federal lawsuit against the Michigan-based Borders Group that's been 20 years in the making.

Coonerty, who led the charge against the chain store when it was proposed for the corner of Pacific and Soquel avenues downtown,

became president of the American Booksellers Association the same month Borders opened. The group filed a lawsuit against Borders and Barnes & Noble bookstores in 1998, charging that the chain stores threaten the survival of independent bookstores, especially in California, where both chains have focused their expansion.

The first hearing on the suit is March 1. The trial is expected to begin April 9.

"We're doing OK right now," Coonerty said of the effect Borders has had on his business. "But we do feel we've been cut out of a lot of deals because of them."

Coonerty said sales this month are flat after years of growth. He attributed the stagnant sales to the introduction of Borders, but noted December's sales grew over the same time the previous year.

Coonerty was on the American Booksellers Association's legal committee when it filed the suit. Bookshop Santa Cruz is not a plaintiff in

the suit because there were no bookstore chains in Santa Cruz County at the time the suit was filed.

Representatives of Borders' corporate office in Ann Arbor, Mich., were unavailable for comment Friday.

The suit, filed by the booksellers' association and 26 independent bookstores nationwide, claims big chains use their clout with publishers to get preferential treatment. The suit accuses Borders and Barnes & Noble of soliciting special discounts on both large and small orders, and threatening large returns to obtain extra discounts.

Some Santa Cruz residents have taken the opposition to heart, protesting against the store since it opened in June. The Bare-Breasted Bandits inaugurated the store with chants and a march and local bookstores started giving out bumper stickers reading "Books without Borders: Support your local book sellers."

But the protests also leaned toward vandal-

ism and violence. In August, protesters opened a water pipe in the building, flooding two nearby businesses and causing \$20,000 damage to the bookstore. Then, two days later, Borders manager Kris Arnett was pelted with rocks as she left the building one night. Three men allegedly yelled expletives at her.

Arnett left the Santa Cruz Borders in November. Bookstore staff declined to say if her decision to leave was connected to the protests.

In response to the protests, Coonerty called for residents to soften their tactics. Since replacing the glass at Borders — notably, a smear of acid etched to read "Borders Stinks" — the company hired a 24-hour security guard for four days. The Santa Cruz Police has implemented extra patrols and has loss prevention monitors watching the building for vandals.

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