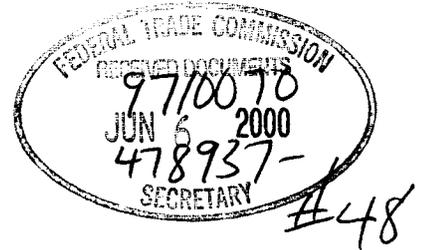




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May 31, 2000

Federal Trade Commission:

In the early 1990's, many new music retailers, i.e. mass merchandisers, started to sell CD's at low prices to gain customers and market share. This "loss leader" concept resulted in thousands of retail mom and pop family owned record shops and major music chains going out of business. Obviously they could not afford to sell at a price below their cost. Although it is not in your area of jurisdiction, you can picture how many empty store fronts there are now in neighborhoods (Rutherford NJ is one of them) that can least afford them.

The major distributors started Minimum Advertised Price (M.A.P) policies in 1995 and saved my business along with thousands of other record retail stores. In addition to the competition I am facing with the internet, digital downloading and MP3, I am confronted by a commission whose ruling will bring harm to me, my family and the record industry. Without independent record shops small label artists and hard to find music could vanish giving way "mall mentality superstores" which would cater only to what's commercially viable. Music as an art form would suffer greatly.

There is no doubt in my mind that the price war will start soon in 2000 and my 10 years of hard work and good business will end because you will allow electronic stores and mass merchandisers to sell below cost on music with the sole purpose of a profit built into other more expensive items.

Gary Cogger

A handwritten signature in black ink, appearing to be "Gary Cogger", written over a horizontal line.

President
Highway 61 Records Inc.