

TicketDisaster.org Statement On DOJ Settlement in Ticketmaster-Live Nation Merger

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Washington, DC— The TicketDisaster.org coalition today released the following statement in response to the Department of Justice's (DOJ) decision to allow the Ticketmaster-Live Nation merger to proceed:

"The DOJ has asked consumers, independent promoters, ticket brokers, artists and venue owners to take a very large leap faith – that the conditions imposed on the merger will improve competition and ultimately lead to greater choice and lower prices," said Sally Greenberg, executive director of the National Consumers League, a founding members of the TicketDisaster.org coalition. "While we appreciate the efforts of the DOJ to extract meaningful concessions from the parties, we remain concerned that these two companies, with a history of anti-consumer behavior, will abide only by the letter, and not the spirit of the settlement agreement. It is therefore critically important that the DOJ hold the merged company's feet to the fire to ensure that the settlement will have its intended effect. The consumer groups, venue owners, promoters and ticket broker members of our coalition will remain vigilant to ensure that DOJ fulfills this watchdog function."

The settlement leaves several important issues unresolved, we believe. Notably, the secondary ticketing issue remains unsettled. Ticketmaster has signaled that it intends to use questionable "innovations" such as paperless ticketing to extend its monopoly power over the secondary market. We believe that this may constitute an unfair and deceptive trade practice. We therefore urge the Federal Trade Commission (FTC) to maintain a watchful eye and ensure that consumers continue to benefit from a robust secondary market.

"While today's decision is not the strongest in terms of protecting consumers, competition, and choice in the industry, it is all the more reason why consumers should continue to stand up and voice their concerns with this live entertainment monopoly," said Gary Adler, counsel to the National Association of Ticket Brokers. "The fight is not over. Our efforts to protect the rights of the consumer by exposing Ticketmaster's anti-consumer activities, including the use of paperless ticketing and excessive fees, are still priority number one."

"Though I have not had the opportunity to review it yet fully, it seems the Department of Justice has dictated in the merger agreement that Live Nation and Ticketmaster may not engage in anticompetitive behavior on any level going forward. If that is true, it will be a better world for everyone. It all comes down to whether the DOJ will indeed be the watchdog they claim they will be. The department seems to understand the issues, our concerns and the fears the entertainment industry holds about Live Nation's and Ticketmaster's predatory and anticompetitive behavior. This puts Live Nation Entertainment under a microscope, a place we wished Ticketmaster and Live Nation were under a long time ago," said Seth Hurwitz, chairman of I.M.P., which owns the 9:30 Club, operates Merriweather Post Pavilion and is the producer of Virgin Mobile Festival in the U.S., representing independent concert promoters and venue owners.

"The dominant market power of the newly-merged Live Nation Entertainment will require both the DOJ and FTC to commit to a vigorous oversight capacity, including additional enforcement actions where necessary," said David Balto, former FTC policy director and counsel to the consumer and industry groups. "It will be incumbent upon enforcement authorities to listen to the voices of millions of consumers who attend live events to ensure that they, not the merged company, are the

ultimately beneficiaries of this agreement.”

For more information, please visit www.TicketDisaster.org.

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About TicketDisaster.org

TicketDisaster.org is a coalition of public interest groups, ticket brokers, and independent venue owners and promoters united in opposition to the proposed Ticketmaster-Live Nation merger. Coalition members include Consumer Action, Consumer Federation of America, I.M.P. Productions Chairman Seth Hurwitz (representing independent venue owners), the National Association of Ticket Brokers, the National Consumers League and the U.S. Public Interest Research Group (USPIRG).